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BEFORE THE
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD LOCAL
ASSISTANCE AND PLANNING COMMITTEE

IN THE MATTER OF THE:)
)
LOCAL ASSISTANCE AND PLANNING)
 COMMITTEE MEETING)
)

DATE AND TIME: WEDNESDAY, OCTOBER 16, 1996
9:30 A.M.

PLACE: BOARD HEARING ROOM
8800 CAL CENTER DRIVE
SACRAMENTO, CALIFORNIA

REPORTER: BETH C. DRAIN, RPR, CSR
CERTIFICATE NO. 7152

BRS FILE NO.: 35785

APPEARANCES

MR. WESLEY CHESBRO, CHAIRMAN MR. ROBERT C. FRAZEE,
MEMBER MS. JANET GOTCH, MEMBER

STAFF PRESENT

MR. ELLIOT BLOCK, LEGAL COUNSEL
MS. KATHY MARSH, COMMITTEE SECRETARY MS. JUDY
FRIEDMAN

MS. CAREN TRGOVCICH

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1 SACRAMENTO, CALIFORNIA

2 WEDNESDAY, OCTOBER 16, 1996

3 9:30 A.M.

4

5 CHAIRMAN CHESBRO: GOOD MORNING. THIS IS
6 THE MEETING OF THE LOCAL ASSISTANCE AND PLANNING
7 COMMITTEE OF THE INTEGRATED WASTE MANAGEMENT
8 BOARD. WE WILL BEGIN BY CALLING THE ROLL.

9 THE SECRETARY: BOARD MEMBERS FRAZEE.

10 MEMBER FRAZEE: HERE.

11 THE SECRETARY: GOTCH.

12 MEMBER GOTCH: HERE.

13 THE SECRETARY: CHAIRMAN CHESBRO.

14 CHAIRMAN CHESBRO: HERE. ALL PRESENT AND
15 ACCOUNTED FOR.

16 DOES ANYBODY HAVE ANY EX PARTES
17 THEY'D LIKE TO REPORT?

18 MEMBER FRAZEE: NONE THIS MORNING.

19 CHAIRMAN CHESBRO: I HAVE SOME
20 OUTSTANDING, BUT I DON'T THINK THEY RELATE TO ANY
21 OF THE COMMITTEE AGENDA ITEMS, SO I'LL JUST FILL
22 OUT THE FORMS.

23 WE WILL BEGIN THE AGENDA WITH ITEM
24 1, WHICH IS THE ORAL REPORT FROM THE DIVERSION
25 PLANNING AND LOCAL ASSISTANCE DIVISION BY JUDY

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1 FRIEDMAN.

2 MS. FRIEDMAN: GOOD MORNING, CHAIRMAN
3 CHESBRO AND COMMITTEE MEMBERS GOTCH AND FRAZEE.
4 THIS ITEM IS AN UPDATE ON SOME OF THE MAJOR
5 ACTIVITIES OF THE DIVERSION PLANNING AND LOCAL
6 ASSISTANCE DIVISION.

7 FIRST, AS ALWAYS, AN UPDATE ON LOCAL
8 PLANS. ELEMENTS OF SEVEN JURISDICTIONS ARE ON
9 TODAY'S AGENDA; AND THAT, OF COURSE, IS A
10 COMBINATION OF SRRE'S, HHWE'S, NDFE'S, SITING
11 ELEMENTS, AND SUMMARY PLANS.

12 AS OF OCTOBER 15TH, THE BOARD HAS
13 RECEIVED APPROXIMATELY 1400 LOCALLY ADOPTED
14 ELEMENTS OF THE COUNTYWIDE PLANS FOR CONSIDERATION
15 AND APPROVAL, DISAPPROVAL, OR CONDITIONAL
16 APPROVAL.

17 STATEWIDE WE ARE AT APPROXIMATELY 91
18 PERCENT RECEIVED FOR THE SRRE'S, 84 PERCENT FOR
19 THE HHWE'S, 90 PERCENT FOR NDFE'S, 43 FOR THE
20 SITING ELEMENTS, AND 40 PERCENT FOR THE SUMMARY
21 PLANS. SO WE ARE MOVING RIGHT ALONG. AT THIS
22 TIME WE HAVE NOT RECEIVED SRRE'S FOR 34
23 JURISDICTIONS, AND WE ARE CONTINUING TO PURSUE
24 THOSE.

25 AS OF OCTOBER 11TH, 309 ANNUAL

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1 REPORTS HAVE BEEN SUBMITTED TO THE BOARD FOR
2 COMMENT, AND AT THIS TIME WE HAVE COMPLETED OUR
3 COMPLETENESS REVIEW OF ABOUT A HUNDRED TWENTY OF
4 THOSE, SO WE'RE CONTINUING TO RECEIVE ANNUAL
5 REPORTS AS WELL.

6 UPDATE ON SOME REGULATIONS. STAFF
7 SUBMITTED THREE REGULATION PACKAGES TO THE OFFICE
8 OF ADMINISTRATIVE LAW IN EARLY SEPTEMBER. THESE
9 PACKAGES INCLUDE PROPOSED AMENDMENTS TO ARTICLE
10 6.2 AND 7.0 AND THE PROPOSED ADDITION OF ARTICLE
11 6.4. AND THESE CONCERN CONTENT AND PROCEDURES FOR
12 SOURCE REDUCTION AND RECYCLING AND NONDISPOSAL
13 FACILITY ELEMENTS.

14 AND IF YOU RECALL, THOSE REGULATIONS
15 HAD BEEN APPROVED BY THE BOARD AS EMERGENCY
16 REGULATIONS THAT HAD A THREE-YEAR LIFE. SO THIS
17 IS TO MAKE THOSE REGULATIONS PERMANENT. THE
18 45-DAY PUBLIC COMMENT REVIEW PERIOD COMMENCED ON
19 SEPTEMBER 13TH AND WILL END ON OCTOBER 28TH.

20 WE EXPECT THAT INFORMAL DRAFT
21 REGULATIONS FOR CONDUCTING WASTE CHARACTERIZATION
22 STUDIES AND WASTE GENERATION STUDIES AND
23 DEFINITIONS OF GENERAL PLANNING TERMS AND MATERIAL
24 SIZE WILL BE CIRCULATED FOR PUBLIC REVIEW IN
25 OCTOBER.

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1 SOME OTHER PLANNING ISSUES. MARSHA
2 DEVON OF THE CITY OF SAN FRANCISCO HAS RESIGNED
3 FROM THE LGTAC. LIKEWISE, RICHARD WELTON OF
4 FRESNO COUNTY HAS ALSO RESIGNED. AND THERE IS NO
5 INFORMATION ON NEW APPOINTEES AT THIS TIME.

6 TODAY'S LOCAL GOVERNMENT TECHNICAL
7 ADVISORY COMMITTEE OR LGTAC MEETING WILL INCLUDE A
8 MEETING BETWEEN THE REGIONAL COUNCIL OF RURAL
9 COUNTIES AND LGTAC TO DISCUSS SUCH TOPICS AS THE
10 ASSEMBLY NATURAL RESOURCES COMMITTEE OCTOBER 2D
11 HEARING, THE FUTURE OF THE BOARD, QUANTIFYING
12 DIVERSION AND DISPOSAL AND COOPERATIVE EFFORTS.
13 SO THEY'RE GOING TO HAVE INTERESTING TOPICS TO
14 DISCUSS TODAY.

15 STAFF WILL BE MEETING WITH THE
STAFF
16 FROM THE OFFICE OF EMERGENCY SERVICES AND THE
17 CALIFORNIA SPECIALIZED TRAINING INSTITUTE TO
18 DISCUSS DEVELOPMENT OF LOCAL GOVERNMENT WORKSHOPS
19 ON DISASTER DEBRIS MANAGEMENT AS PRESENTED IN THE
20 INTEGRATED WASTE MANAGEMENT DISASTER PLAN. IF I
21 RECALL, THAT WAS A CONTRACT CONCEPT THAT THE
BOARD
22 HAD APPROVED EARLIER, AND WE ARE PURSUING THAT.

23 UPDATE ON USED OIL AND HOUSEHOLD

24 HAZARDOUS WASTE PROGRAMS. AS OF OCTOBER 11TH,
THE
25 USED OIL PROGRAM CURRENTLY HAS OVER 2,000

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1 CERTIFIED CENTERS, 500 INDUSTRIAL GENERATORS, 68
2 CURBSIDE COLLECTION PROGRAMS, AND ONE ELECTRIC
3 UTILITY, FOR A TOTAL OF 2,623 PROGRAM
4 PARTICIPANTS. SO THAT JUST KEEPS GROWING EVERY
5 MONTH.

6 AND SINCE SEPTEMBER 10TH OR IN THE
7 MONTH OF SEPTEMBER, WE HAVE CERTIFIED 56 NEW
8 CENTERS AND RECERTIFIED 30 CENTERS. THE NEW USED
9 OIL RECYCLING REGULATIONS ARE NEARLY FINISHED;
10 THAT IS, THE INFORMAL DRAFT. AND WE'LL BE GOING
11 THROUGH INTERNAL REVIEWS THIS MONTH. AFTER OUR
12 INTERNAL REVIEWS, WE'LL SEND THEM OUT FOR INFORMAL
13 EXTERNAL REVIEW, AND WE EXPECT TO BRING THEM TO
14 THE COMMITTEE AND BOARD TO START THE FORMAL
15 PROCESS EARLY NEXT YEAR. IF YOU RECALL, WE'VE HAD
16 A SERIES OF STATE WORKSHOPS WHICH HELPED US
17 FORMULATE THE PLAN FOR THESE REGULATIONS.

18 THROUGH AN INTERAGENCY AGREEMENT
19 WITH THE STATE FIRE MARSHAL'S OFFICE, A MANUAL
20 CALLED "THE SOLUTION TO OIL POLLUTION" HAS BEEN
21 DEVELOPED FOR DISTRIBUTION TO LOCAL FIRE
22 DISTRICTS. THIS MANUAL WILL BE USED IN WORKSHOPS
23 THAT WILL BE HELD THROUGHOUT THE STATE. THESE
24 WORKSHOPS WILL EDUCATE FIRE MARSHALS AND THEIR
25 STAFF, AS WELL AS REPRESENTATIVES FROM THE

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1 AUTOMOTIVE INDUSTRY, ABOUT FIRE CODE
2 INTERPRETATION CONCERNING COLLECTION, TRANSFER,
3 AND STORAGE OF USED OIL. AND IF YOU RECALL, WE
4 HAD PURSUED THIS PARTICULAR CONTRACT BECAUSE OF
5 THE DIFFERING INTERPRETATIONS THAT DIFFERENT FIRE
6 DEPARTMENTS HAD ABOUT FIRE CODE, AND THIS WAS A
7 WAY TO UNIFORMLY HAVE THESE THINGS INTERPRETED.

8 THE BOARD AWARDED 43 USED OIL GRANTS
9 TO NONPROFIT ORGANIZATIONS. THE TOTAL AMOUNT
10 AWARDED TO NONPROFITS WAS 3.3 MILLION. THAT WAS
11 LAST MONTH. ELEVEN LOCAL CONSERVATION CORPS WERE
12 AWARDED GRANTS, AND WE'LL BE WORKING CLOSELY WITH
13 THEIR RESPECTIVE LOCAL GOVERNMENTS.

14 THESE GRANT MONIES WILL FOCUS ON
15 ESTABLISHING PERMANENT USED OIL COLLECTION
16 FACILITIES IN RURAL AREAS, PUBLIC EDUCATION
17 PROJECTS IN UNDERSERVED AREAS. THE USED OIL AND
18 HHW PROGRAM RECEIVED 96 APPLICATIONS FOR HHW
19 GRANTS THAT TOTAL ALMOST NINE MILLION IN REQUESTED
20 FUNDS. OF COURSE, THERE'S ONLY \$3 MILLION
21 AVAILABLE FOR THIS GRANT PROGRAM. AS A RESULT,
22 THIS WILL BE A VERY COMPETITIVE GRANT CYCLE, AS
23 YOU CAN IMAGINE, AND THE RECOMMENDED AWARDS WILL
24 BE COMING BEFORE COMMITTEE AND BOARD FOR APPROVAL
25 IN DECEMBER.

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1 THE BOARD APPROVED AN AUGMENTATION
2 OF THE \$1 MILLION TO THE STATE CCC INTERAGENCY
3 AGREEMENT. THIS AUGMENTATION WILL ALLOW THE CCC
4 TO CONTINUE THEIR VERY SUCCESSFUL SECONDARY
5 EDUCATION PROGRAM THROUGH THE SCHOOL YEAR. THIS
6 PROGRAM WAS DESIGNED TO TEACH STUDENTS ABOUT THE
7 PROBLEMS ASSOCIATED WITH ILLEGAL DISPOSAL OF USED
8 OIL AND THE BENEFITS OF CONSERVING THIS VALUABLE
9 RESOURCE.

10 THROUGH THIS CONTRACT, THE CCC WILL
11 BE ABLE TO WORK CLOSELY WITH LOCAL JURISDICTIONS,
12 ESPECIALLY IN THE RURAL AREAS, WHICH IS ONE OF THE
13 AREAS WE TARGETED, TO HELP WITH THEIR USED OIL
14 PROGRAMS IN THE SUMMER MONTHS.

15 I'D ALSO LIKE TO TAKE THIS MOMENT TO
16 ANNOUNCE THAT SHIRLEY WILLD-WAGNER IS THE
17 SUPERVISOR OF THE GRANTS IN THE HHW SECTION IN THE
18 USED OIL BRANCH EFFECTIVE OCTOBER 14TH. AS YOU
19 RECALL, FERNANDO BERTON HAD BEEN THE PREVIOUS
20 INCUMBENT IN THAT POSITION. SHIRLEY BRINGS TO
21 THIS POSITION 14 YEARS' EXPERIENCE WORKING BOTH
22 WITH MANAGING AND ADMINISTERING GRANTS, AS WELL AS
23 EXTENSIVE SUPERVISORY EXPERIENCE. AND WE ARE VERY
24 PLEASED THAT SHIRLEY WILL BE JOINING OUR DIVISION,
25 AND SHE HAD FORMERLY BEEN WORKING IN THE

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1 ADMINISTRATION AND FINANCE SUBDIVISION.

2 SOME INFORMATION ON PUBLIC EDUCATION
3 AND PROGRAMS IMPLEMENTATION. STAFF IS WORKING
4 WITH BERTECH WASTE INDUSTRIES, WHO IS SPONSORING A
5 WASTE REDUCTION AND RECYCLING WORKSHOP TO BE HELD
6 IN RIVERSIDE NOVEMBER 6TH. EXPECTED ATTENDEES TO
7 THE WORKSHOP WILL BE LOCAL BUSINESS OWNERS, LOCAL
8 GOVERNMENT, RECYCLING COORDINATORS, UNIVERSITY AND
9 LOCAL COLLEGE RECYCLING COORDINATORS, AND STATE
10 OFFICE RECYCLING COORDINATORS. THE RIVERSIDE
11 CHAMBER OF COMMERCE IS ALSO A LOCAL PARTICIPANT
12 AND SPONSOR. STAFF HAVE CONDUCTED WASTE DIVERSION
13 WORKSHOPS WITH SCHOOL DISTRICTS IN THE CITIES OF
14 HEYFORTH AND WEAVERVILLE. THESE WORKSHOPS WERE
15 ATTENDED BY OVER 50 TEACHERS AND WERE WELL
16 RECEIVED.

17 CHAIRMAN CHESBRO: I DIDN'T KNOW THERE
18 WERE 50 TEACHERS IN HEYFORTH AND WEAVERVILLE.

19 MS. FRIEDMAN: WELL, I THINK THEY CAME
20 FROM SURROUNDING COMMUNITIES AS WELL.

21 ON NOVEMBER 7TH AND 8TH A PAPER
22 IDENTIFICATION WORKSHOP WILL BE CONDUCTED BY
23 JANE

24 L. ARRONSWICK. THESE WORKSHOPS ARE TRAINING
25 WORKSHOPS INTENDED FOR STATE RECYCLING

25 COORDINATORS WHO ARE PARTICIPANTS IN THE
STATE'S

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1 RECYCLING PROGRAM. AND THE PURPOSE OF THESE
2 WORKSHOPS IS TO PROVIDE THE PARTICIPANTS WITH A
3 HANDS-ON WORKING KNOWLEDGE OF PAPER GRADES THAT
4 WILL ASSIST THEM IN CARRYING OUT THEIR DUTIES AS

A

5 RECYCLING COORDINATOR. AND THESE WORKSHOPS ARE
6 BEING FUNDED BY REVENUES FROM PROJECT RECYCLE.

7 THAT CONCLUDES MY PRESENTATION.

ARE

8 THERE ANY QUESTIONS? THANK YOU.

9 CHAIRMAN CHESBRO: GREAT REPORT.

THERE'S

10 A LOT GOING ON, AND THAT'S GOOD NEWS. SO THANKS.

11 NEXT I'D LIKE TO CALL ON CAREN

12 TRGOVCICH TO GIVE THE WASTE PREVENTION AND MARKET
13 DEVELOPMENT DIVISION REPORT.

14 MS. TRGOVCICH: GOOD MORNING, MEMBERS.

I

15 JUST WANT TO PROVIDE YOU SOME HIGHLIGHTS OF THE
16 DIVISION'S ACTIVITIES THAT ARE BEFORE THIS
17 COMMITTEE OVER THE PAST MONTH AND IN COMING
18 MONTHS.

19 AS PART OF THE CONTINUING UPDATE ON
20 THE INFORMATION THAT WE ARE PLACING ON THE
21 INTERNET FOR ACCESSIBILITY AND AVAILABILITY TO A

22 BROAD RANGE OF USERS, WE RECEIVED A NOTICE OR THE
23 WASTE PREVENTION INFORMATION EXCHANGE RECEIVED A
24 NOTICE SAYING THAT IT HAS BEEN ADDED TO THE
25 "AMAZING ENVIRONMENTAL DIRECTORY" ON THE
WORLDWIDE

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1 WEB. SO WE'RE DEFINITELY MAKING SOME INROADS OUT
2 THERE, AND OUR INFORMATION IS DEFINITELY STARTING
3 TO HIT BROADER AUDIENCES.

4 STAFF ATTENDED THE UNIVERSITY OF
5 CALIFORNIA RIVERSIDE'S TURF, GRASS, AND LANDSCAPE
6 RESEARCH CONFERENCE AND FIELD DAY. THERE WERE
7 SEVERAL PRESENTATIONS THAT COVERED ASPECTS OF
8 TURF, AS WELL AS TOPICS DEALING WITH MULCH AND
9 COMPOST USE WITHIN THE LANDSCAPE. WE ALSO MET
10 WITH REPRESENTATIVES FROM THE ENVIRONMENTAL CARE
11 ORGANIZATION, ONE OF THE BOARD'S YARD WASTE
12 PREVENTION PARTNERS, ABOUT SEVERAL UPCOMING
13 CENTRAL VALLEY GRASS CYCLING DEMONSTRATION
14 PROJECTS.

15 ON THE SAME NOTE, I JUST WANT TO
16 REPORT RATHER BELATEDLY THAT THE YARD WASTE
17 PREVENTION STAFF SET UP AND ASSISTED IN PROVIDING
18 A GRASS CYCLING COMPOSTING DAY DISPLAY AT THE
19 BOARD'S STATE FAIR BOOTH LAST MONTH.

20 THE STATE ACQUIRED A 21-INCH
21 MULCHING MOWER FROM TORO. WE ALSO CONSTRUCTED A
22 MINI COMPOST BIN TO SHOW HOW TO USE THE VARIOUS
23 BINS AND PROVIDE INFORMATION ON THEM. IT WAS A
24 VERY SUCCESSFUL EVENT WITH SEVERAL INDIVIDUALS
25 INQUIRING ABOUT THE MOWER ITSELF, GRASS
CYCLING,

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1 AND THE CONSTRUCTION STYLE OF THE COMPOST BINS.
2 THIS WAS A VERY GOOD EDUCATIONAL EVENT THAT THE
3 STAFF PARTICIPATED IN. IT GOT OUT A LOT OF
4 INFORMATION. WE RECEIVED A LOT OF INQUIRIES WHICH
5 WE ARE FOLLOWING UP ON IN THE PAST MONTH.

6 AS I REPORTED TO YOU LAST MONTH, WE
7 HELD A FIRST OF ITS KIND WORKING ROUND TABLE IN
8 DOWNTOWN SACRAMENTO ON SEPTEMBER 12TH. THIS WAS A
9 ROUND TABLE AT WHICH 28 ATTENDEES FROM A VARIETY
10 OF MATERIAL EXCHANGE FACILITIES AND PROGRAMS
11 PARTICIPATED TO FOCUS ON INCREASING REUSE
12 OPPORTUNITIES WITHIN THE MATERIALS EXCHANGE
13 INDUSTRY AND FURTHER DEFINING CALMAX' ROLL IN
14 SUPPORTING AND ENCOURAGING THE EFFORT.

15 THERE WERE THREE PRINCIPAL TOPICS AT
16 THE WORKSHOP PARTICIPANTS ADDRESSED IN THE CONTEXT
17 OF THAT MEETING. THE FIRST WAS THE MINIMAX
18 MATERIAL EXCHANGE FACILITY CONNECTIONS WHERE
19 PARTICIPANTS EXAMINED THE COOPERATIVE
20 OPPORTUNITIES THAT EXIST BETWEEN EXCHANGE PROGRAMS
21 AND FACILITIES THAT HOUSE MATERIALS. PARTICIPANTS
22 ALSO FOCUSED ON ELECTRONIC LINKAGES, EXAMINING THE
23 GROWING USE OF THE INTERNET FOR INFORMATION
24 MANAGEMENT AND TRANSFER.

25 AND THE THIRD TOPIC THAT THEY

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1 FOCUSED ON WAS THE ESTABLISHMENT OR POTENTIAL
2 ESTABLISHMENT OF A MATERIALS EXCHANGE ASSOCIATION,
3 EXAMINING THE UTILITY OF FORMING AN ASSOCIATION
4 WITHIN WHICH TO TRADE IDEAS AND INFORMATION.

5 THERE WAS A WIDE ARRAY OF EXPERIENCE
6 AND EXPERTISE THAT WAS BROUGHT TO THE TABLE IN
7 THIS FIRST OF ITS KIND ROUND TABLE, AND WE WILL BE
8 FOLLOWING UP ON A LOT OF THE IDEAS.

9 WE'D ESPECIALLY LIKE TO NOTE THAT
10 THERE WAS PARTICULAR EMPHASIS PLACED ON USING THE
11 INTERNET, CONTINUING TO BUILD THE INFORMATION BASE
12 THAT WE HAVE THERE TO BE ABLE TO GET INFORMATION
13 OUT TO INTERESTED PARTIES.

14 IN RELATIONSHIP TO CALMAX, WE ARE
15 CURRENTLY WORKING TO CONSOLIDATE THE EXTENSIVE
16 NOTES TAKEN FROM THIS ROUND TABLE, AND WE'LL BE
17 USING THAT INFORMATION DURING A REVISITING OF
18 THE

19 BOARD APPROVED CALMAX FIVE-YEAR EXPANSION PLAN.
20 THAT PLAN IS NOW NEARLY THREE YEARS OLD, AND IT
21 WAS DEVELOPED IN AN ERA PRIOR TO RECOGNIZED
22 INTERNET POTENTIAL OR REALIZED BUDGET

CONSTRAINTS

23 THEMSELVES.

WHILE MANY OF THE STRATEGIC

BASICS

24 TO THE PLAN STILL HOLD TRUE, THE AVAILABLE

MEANS

25 TO ACHIEVE ITS GOALS HAVE EVOLVED. AND WE ARE

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1 WORKING TO INCORPORATE THE INFORMATION FROM THE
2 ROUND TABLE AS WELL AS OUR OWN EXPERIENCE TO BE
3 ABLE TO PUT A NEW LIGHT ON THE EXPANSION PLAN AND
4 BE ABLE TO INCORPORATE WHAT WE'VE LEARNED TO TAKE
5 THE NEXT STEPS.

6 AS FAR AS CALMAX AS WELL, I'D JUST
7 LIKE TO REPORT THAT WE HAVE EFFECTED A SMOOTH
8 TRANSITION IN THE CONTRACT BETWEEN THE OLD
9 CONTRACTOR, THE LOCAL GOVERNMENT COMMISSION, AND
10 THE NEW CONTRACTOR, PHASE III ENVIRONMENTAL
11 MANAGEMENT, FOR THE PRODUCTION OF THE CALMAX
12 CATALOG.

13 THE SEPTEMBER-OCTOBER ISSUE OF THE
14 CALMAX CATALOG HAS BEEN PRINTED AND MAILED WITH
15 ONLY ONE MINOR DELAY IN THE BIMONTHLY PRINTING
16 SCHEDULE. PHASE III IS NOW TAKING THE NEW
17 LISTINGS FOR THE NEXT CATALOG. IN ADDITION, THE
18 FIRST ROUND OF COST CUTTING MEASURES HAS BEEN
19 IMPLEMENTED.

20 THE FONT SIZE HAS BEEN REDUCED,
21 ALLOWING THE USE OF THREE COLUMNS PER PAGE. WE
22 WERE PREVIOUSLY AT TWO COLUMNS PER PAGE. THEREBY
23 REDUCING THE NUMBER OF CATALOG PAGES FROM 72 TO
24 56. THAT'S A BIG ACCOMPLISHMENT. WE HOPE TO
25 CONTINUE MOVING FORWARD ALONG THOSE LINES.

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1 I'D LIKE TO JUST END ON A FINAL NOTE
2 RELATED TO WHAT WE ARE DOING INTERNALLY HERE IN
3 THE ORGANIZATION. WE HAVE RECENTLY IDENTIFIED AND
4 TRAINED WASTE REDUCTION PROS FOR ALL THE BOARD'S
5 OFFICES AND DIVISIONS. THE PARTICIPANTS RECEIVED
6 A COMPREHENSIVE HALF-DAY TRAINING ON WASTE
7 PREVENTION, REUSE, EMPLOYEE MOTIVATION, WORM BINS,
8 AND RECYCLING THROUGHOUT THE BOARD'S BUILDINGS
9 HERE AT 8800, 8810, AND 8950.

10 THE STAFF ARE NOW A LOCAL
11 INFORMATION RESOURCE TO THEIR CO-WORKERS AS WE
12 CONTINUE OUR QUEST TO PRACTICE WHAT WE PREACH.
13 AND WE'VE ALSO DEVELOPED, WITH THE ASSISTANCE OF
14 THE PUBLIC AFFAIRS OFFICE, SOME NEW POSTERS WHICH
15 WE WILL BE USING TO TARGET OUR EFFORTS INTO THE
16 VARIOUS AREAS OF THE BUILDINGS AND IDENTIFY THE
17 NEW WASTE REDUCTION PROS.

18 THAT CONCLUDES MY REPORT.

19 CHAIRMAN CHESBRO: THANKS. ANY
20 QUESTIONS?

21 YOU BROUGHT UP A NUMBER OF TOPICS
22 THAT CAME UP IN A MEETING THAT I WAS IN YESTERDAY.
23 I HAD THE CHANCE TO GO DOWN, ALONG WITH A NUMBER
24 OF OTHER PEOPLE FROM OTHER CAL/EPA AGENCIES, AND
25 TALK TO THE ELECTRONIC INDUSTRY ASSOCIATION'S

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1 NATIONAL CONFERENCE IN SAN DIEGO. AND THERE WAS A
2 GREAT DEAL OF INTEREST IN A NUMBER OF THINGS THAT
3 WE'RE DOING.

4 THEY ARE VERY ACTIVELY INTERESTED IN
5 CALMAX. AND I'M GOING TO PUT SOME OF YOUR STAFF
6 IN CONTACT WITH THEM TO TRY TO GET MORE
7 INFORMATION ABOUT CALMAX IN THEIR NEWSLETTER AND
8 THE WORD OUT BECAUSE THERE IS REAL ACTIVE
9 INTEREST.

10 I WAS ALSO VERY PLEASED TO BE ABLE
11 TO GIVE THEM OUR HOME PAGE ADDRESS, WHICH THEY --
12 THE FIRST TIME I'VE EVER GIVEN IT OUT IN A TALK
13 WHERE EVERYBODY IN THE AUDIENCE WROTE IT DOWN.
14 THEY'RE THOSE KIND OF PEOPLE. BUT THAT DEFINITELY
15 GAVE THE BOARD, I THINK, A HIGHER CREDIBILITY
16 LEVEL WITH THIS PARTICULAR AUDIENCE, THAT WE ARE
17 ON-LINE AND ACCESSIBLE TO THE WORLD IN THAT
18 PARTICULAR FORUM.

19 THEY ALSO WERE VERY INTERESTED IN
20 OUR ACHIEVEMENTS WITH OUR IN-HOUSE WASTE
21 PREVENTION PROJECT AND WERE INTERESTED IN MORE
22 INFORMATION ABOUT WHAT WE'VE BEEN ABLE TO DO AND
23 FURTHER THEIR EFFORTS IN THEIR INDIVIDUAL
24 COMPANIES. SO THIS IS A PARTICULAR INDUSTRY
25 SEGMENT THAT HAS TAKEN, I THINK, A GREATER

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1 INTEREST IN WASTE PREVENTION IN GENERAL THAN MOST
2 OF THE PRIVATE SECTOR. SO IT WAS PRETTY EXCITING
3 AND NICE TO SEE SO MUCH INTEREST FROM PEOPLE WHO
4 REPRESENT, YOU KNOW, LARGE, EXTENSIVE BUSINESSES
5 IN TERMS OF ECONOMIC ACTIVITY AND EMPLOYMENT AND
6 POTENTIAL WASTE GENERATED. SO THANKS FOR YOUR
7 REPORT.

8 WE WILL MOVE TO THE CONSENT AGENDA.
9 AND IT IS AVAILABLE IN THE BACK OF THE ROOM FOR
10 ANYBODY WHO IS CONCERNED ABOUT WHAT'S ON CONSENT.
11 I'LL READ THE LIST HERE AND WELCOME ANY REQUESTS
12 TO PULL AN ITEM IF ANYBODY WANTS TO DISCUSS IT.

13 ITEMS 5 THROUGH 9 ARE ON CONSENT,
14 AND THE SITING ELEMENT FOR ITEM 10. ARE THERE ANY
15 QUESTIONS OR ITEMS THAT ANYBODY WANTS TO PULL?

16 IF NOT, I'LL ENTERTAIN A MOTION TO
17 ADOPT THE CONSENT AGENDA AND PLACE IT ON THE
18 BOARD'S CONSENT AGENDA.

19 MEMBER GOTCH: SO MOVED.

20 MEMBER FRAZEE: FRAZEE SECOND.

21 CHAIRMAN CHESBRO: IT'S BEEN MOVED AND
22 SECONDED. CALL THE ROLL, PLEASE.

23 THE SECRETARY: BOARD MEMBERS FRAZEE.

24 MEMBER FRAZEE: AYE.

25 THE SECRETARY: GOTCH.

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1 MEMBER GOTCH: AYE.

2 THE SECRETARY: CHAIRMAN CHESBRO.

3 CHAIRMAN CHESBRO: AYE. MOTION CARRIES.

4 AND AS I SAID, THAT WILL BE PLACED ON THE BOARD'S
5 CONSENT.

6 WE'VE HAD A REQUEST, I UNDERSTAND,
7 FOR ITEM 12 TO BE TAKEN OUT OF ORDER; IS THAT
8 CORRECT? SO WE WILL MOVE TO ITEM 12, WHICH IS THE
9 CONSIDERATION OF APPROVAL TO PUBLICLY NOTICE
10 PROPOSED AMENDMENT TO THE RIGID PLASTIC PACKAGING
11 CONTAINER REGULATIONS RELATING TO CHANGES IN THE
12 LAW FROM ASSEMBLY BILL 2508.

13 MS. TRGOVCICH: THIS ITEM WILL BE
14 PRESENTED BY JAN HOWARD. I'D JUST LIKE TO POINT
15 OUT FOR THE COMMITTEE THAT THE WAY THE PROCESS, IN
16 TERMS OF MOVING REGULATIONS THROUGH THE PROCESS
17 WORKS, JUST TO ALLEVIATE ANY CONFUSION THAT MAY
18 EXIST ON THE PART OF ANY INTERESTED PARTIES, IS
19 THAT THIS ITEM IS FOR PURPOSES OF INITIATING THE
20 PROCESS ONLY. WE ARE NOT SEEKING COMMITTEE
21 APPROVAL OF THE REGULATIONS PER SE, BUT COMMITTEE
22 APPROVAL TO GO OUT AND BEGIN THE FORMAL PUBLIC
23 PROCESS.

24 JAN HOWARD WILL BE PRESENTING THIS
25 ITEM.

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1 MS. HOWARD: GOOD MORNING, CHAIRMAN AND
2 COMMITTEE MEMBERS. I'M JAN HOWARD WITH THE
3 SECONDARY MATERIALS ASSISTANCE BRANCH OF THE WASTE
4 PREVENTION AND MARKET DEVELOPMENT DIVISION. AND
5 I'M HERE TODAY TO ASK THAT YOU CONSIDER, AS CAREN
6 HAD INDICATED, STAFF'S RECOMMENDATION TO BEGIN THE
7 RULEMAKING PROCESS TO INCORPORATE THE PROVISIONS
8 OF ASSEMBLY BILL 2508.

9 ASSEMBLY BILL 2508 BECOMES EFFECTIVE
10 JANUARY 1997 AND AMENDS THE BOARD'S RIGID PLASTIC
11 PACKAGING CONTAINER PROGRAM BY ADDING AN ADDI-
12 TIONAL COMPLIANCE OPTION FOR FLORAL PRESERVATIVE
13 CONTAINERS WHICH ARE SUBSEQUENTLY REUSED FOR AT
14 LEAST TWO YEARS BY THE FLORAL INDUSTRY.

15 WHILE THE AMENDMENT ALLOWS THE
16 ADDITIONAL COMPLIANCE OPTION, IT DID NOT PROVIDE
17 HOW PRODUCT MANUFACTURERS WOULD CERTIFY COMPLIANCE
18 IF THEY CHOSE THIS OPTION. THEREFORE, IT IS
19 NECESSARY FOR REGULATIONS TO CLARIFY THE
20 ADDITIONAL COMPLIANCE CRITERIA AND TO SPECIFY HOW
21 PRODUCT MANUFACTURERS WILL CERTIFY COMPLIANCE IF
22 THEY CHOOSE THIS OPTION.

23 WE ARE ASKING YOUR APPROVAL TO BEGIN
24 THE FORMAL PUBLIC REVIEW AND COMMENT PROCESS.
25 ATTACHMENT 1 PROVIDES THE LANGUAGE WE ARE

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1 RECOMMENDING BE RELEASED FOR NOTICE. IT ALLOWS
2 THE PRODUCT MANUFACTURERS TO SUBMIT TO THE BOARD A
3 METHODOLOGY TO DETERMINE WHETHER THE TWO-YEAR
4 REUSE REQUIREMENT IS MET IN A TIME FRAME FOR THE
5 METHODOLOGY TO BE SUBMITTED.

6 THE DRAFT LANGUAGE WAS -- WE HAVE
7 SUBMITTED THE DRAFT LANGUAGE TO THE CALIFORNIA
8 FLORAL ASSOCIATION AND THE FIVE PRODUCT
9 MANUFACTURERS THAT ARE AFFECTED BY THIS NEW
10 COMPLIANCE OPTION. AND WE WILL CONTINUE THROUGH
11 THE RULEMAKING PROCESS TO STAY IN CONTACT WITH ALL
12 OF THE SIX, THE FLORAL ASSOCIATION AND THE FIVE
13 PRODUCT MANUFACTURERS.

14 THIS CONCLUDES MY PRESENTATION.

15 CHAIRMAN CHESBRO: ANY QUESTIONS?

16 MEMBER FRAZEE: I NEED TO UNDERSTAND FOR
17 A MOMENT THE DIFFERENCE IN THESE REGULATIONS AND
18 WHAT WE NORMALLY DO ON REGULATIONS ASSOCIATED --
19 FOR EXAMPLE, ONE WE'RE DEALING WITH RIGHT NOW, THE
20 ASH ISSUE. ARE THERE TWO DIFFERENT PROCEDURES?

21 MS. TRGOVCICH: THIS WOULD BE THE SAME
22 PROCEDURE. WE HAVE INFORMALLY SOLICITED INPUT ON
23 THE DRAFT REGULATIONS. THE ITEM BEFORE YOU TODAY
24 IS TO APPROVE -- TO PROVIDE THE STAFF WITH
25 APPROVAL TO GO TO THE FORMAL NOTICE PROCESS, WHICH

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1 WOULD INITIATE THE 45-DAY PUBLIC COMMENT PERIOD.

2 SO WE'RE IN AN EARLIER STAGE.

3 MEMBER FRAZEE: SO IT'S THE SAME TRACKING
4 THAT WOULD BE --

5 MS. TRGOVCICH: CORRECT.

6 CHAIRMAN CHESBRO: I'M GOING TO ASK A
7 SIMILAR QUESTION IN A SLIGHTLY DIFFERENT
8 DIRECTION. AND THAT IS WHY WE DON'T, RATHER THAN
9 HAVING TWO SEPARATE TRACKS FOR THE REVISION OF THE
10 RPPC REGS, WHY WE DON'T COMBINE THE REGULATION'S
11 CHANGES REQUIRED BY ASSEMBLY BILL 2508 WITH THIS,
12 THE TWO DIFFERENT REFORMS INTO ONE PACKAGE, JUST
13 TO SIMPLIFY AND MAKE CLEAR SO PEOPLE AREN'T
14 HEARING ABOUT TWO DIFFERENT REG PACKAGES?

15 MEMBER FRAZEE: THIS IS 2508.

16 CHAIRMAN CHESBRO: I'M SORRY. THE SENATE
17 BILL. THAT'S WHAT I MEANT.

18 MR. BLOCK: WELL, BASICALLY THE CHANGES
19 REQUIRED BY -- AND I'M GOING TO MIX UP THE BILLS
20 AS WELL -- BUT THE ONE THAT'S NOT IN THE PACKET
21 BEFORE YOU, BASICALLY THE CHANGE HAS BEEN MADE BY
22 STATUTE, AND THE CHANGE IN OUR REGULATION IS
23 SIMPLY TO COMPLY WITH THE CHANGE ALREADY MADE.

24 CHAIRMAN CHESBRO: ISN'T THAT TRUE

HERE

25 TOO?

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1 MR. BLOCK: HERE, AS I THINK WAS
2 EXPLAINED, A LITTLE BIT OF ADDITION IN TERMS OF
3 HOW WE'RE GOING TO REQUIRE THE COMPLIANCE TO BE
4 DONE. IN OTHER WORDS, THE EXCEPTION WAS ADDED IN
5 THE STATUTE, BUT DIDN'T SPECIFY HOW IT WAS DONE.
6 WHEREAS, THE OTHER REQUIREMENT IS SIMPLY CHANGING
7 THE LANGUAGE FROM UNTIL A CERTAIN DATE AND NOW
8 IT'S AN EXEMPTION FOR -- WITHOUT A DEADLINE ON IT.
9 IN OTHER WORDS, THE CHANGES THAT ARE MADE, THERE'S
10 NO DISCRETIONARY ASPECT TO IT LEFT. AND SO WE
11 TYPICALLY DO THE SECTION 100 CHANGES LIKE THAT
12 DIRECTLY WITH OFFICE OF ADMINISTRATIVE LAW.

13 CHAIRMAN CHESBRO: WELL, IT JUST SEEMS TO
14 ME THAT FROM A STANDPOINT OF THOSE WHO ARE ON THE
15 MAILING LIST AND KEEP TRACK OF WHAT WE'RE DOING IN
16 THE REGULATORY PROCESS, THAT IT WOULD SIMPLER AND
17 CLEARER IF WE HAD COMBINED THEM INTO ONE. AND
18 JUST ADMITTEDLY, THE PUBLIC PROCESS WOULDN'T --
19 SHOULDN'T RESULT IN ANYTHING OR COULDN'T RESULT IN
20 ANY CONFLICT WITH THE STATUTORY REQUIREMENTS. SO
21 I CAN'T IMAGINE THAT IT WOULD RESULT IN ANY CHANGE
22 TO THAT -- TO WHAT'S BEING PROPOSED FOR THE SENATE
23 BILL CHANGES.

24 MR. BLOCK: AND THAT'S THE REASON
25 TYPICALLY WE WOULDN'T INCLUDE THAT IN THE REGULAR

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1 PACKET IS BECAUSE IT WOULD GIVE THE IMPLICATION
2 THAT PEOPLE COULD COMMENT ON THAT AND AFFECT WHAT
3 THAT LANGUAGE SAYS; BUT, IN FACT, IT'S STILL
4 SIMPLY JUST TRACKING WHAT A STATUTE -- THE CHANGE
5 THAT'S ALREADY BEEN MADE. THAT'S WHY IT'S NOT
6 PART OF THE -- THE LANGUAGE THAT'S GOING TO GO IN
7 FOR THIS 45-DAY COMMENT PERIOD WILL ALLOW FOR
8 PUBLIC COMMENT AND CHANGES THERETO DEPENDING ON
9 WHAT THOSE ARE.

10 MS. TRGOVCICH: JUST MAYBE TO FOLLOW ON
11 WHAT ELLIOT SAID, THERE IS NOTHING INCLUDED IN THE
12 DRAFT REGULATIONS BEFORE YOU THAT WOULDN'T BE OPEN
13 TO REVISION. BY GOING OUT TO PUBLIC COMMENT, WHAT
14 WE WOULD BE SAYING IS WE WELCOME YOUR COMMENTS,
15 AND THESE AREAS ARE OPEN FOR REVISION. AND THE
16 COMMITTEE AND BOARD HAS THE DISCRETION TO ACT ON
17 ANY COMMENTS THAT ARE RECEIVED. THE SECTION 100
18 CHANGES DON'T FOLLOW THAT.

19 CHAIRMAN CHESBRO: I GUESS MY CONCERN IS
20 THAT, EVEN THOUGH OBVIOUSLY THERE'S SOME THINGS
21 THAT WE NEED TO DO, ABSOLUTELY MUST DO, RELATIVE
22 TO THE DIRECTION OF THE LEGISLATION, THE
23 IMPLICATION TO PUBLIC PROCESS -- I MEAN THERE'S
24 NO -- WE HAVEN'T HEARD FROM ANYBODY ABOUT WHETHER
25 OR NOT THEY HAVE ANY ALTERNATE OPINIONS ABOUT WHAT

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1 OUGHT TO BE DONE. SO THERE'S NO PROCESS FOR THAT
2 IF WE GO THROUGH A SECTION 100.

3 MS. TRGOVCICH: I'LL DEFER TO ELLIOT AND
4 DEBBIE IN A MOMENT, BUT I BELIEVE THAT THE CHANGES
5 THAT YOU ARE REFERRING TO ARE SPECIFIED CURRENTLY
6 IN STATUTE, SO IT WOULDN'T BE OUR DISCRETION --
7 MAYBE I WOULD DEFER TO COUNSEL ON THAT -- TO MAKE
8 THOSE CHANGES.

9 MR. BLOCK: IN OTHER WORDS, IF, IN FACT,
10 THERE'S SOMETHING IN THE ASPECT OF THE SECTION 100
11 CHANGE WE WANTED TO MAKE, THAT, IN FACT, WAS
12 DISCRETIONARY, AS OPPOSED TO SIMPLY MIRRORING THE
13 STATUTE, WE COULDN'T GET IT APPROVED BY OAL. THEY
14 WOULD SAY, NO, YOU HAVE WRITTEN THIS SOMEHOW
15 DIFFERENTLY THAN WHAT STATUTE IS REQUIRING, AND
16 YOU NEED TO SEND IT THROUGH THE PUBLIC COMMENT
17 PERIOD.

18 CHAIRMAN CHESBRO: I'M JUST CONCERNED
19 ABOUT PUBLIC PARTICIPATION. THAT'S THE ONLY
20 ISSUE. IS THERE A POINT AT WHICH PEOPLE CAN
21 COMMENT WHETHER OR NOT THEY AGREE THAT THAT'S ALL
22 THAT'S REQUIRED, OR ARE WE DOING IT JUST THE WAY
23 THAT LEGISLATION SPECIFIES IT?

24 MR. BLOCK: THE SECTION 100 PROCESS,
25 THERE'S NO FORMALIZED PUBLIC COMMENT. AND THE

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1 REASON IS BECAUSE BY ITS VERY NATURE, IF IT'S A
2 SECTION 100 CHANGE, THERE IS NO DISCRETIONARY
3 ASPECT TO IT. IN OTHER WORDS, AS WE STAND HERE
4 TODAY, IN A SENSE, WE ALMOST DON'T HAVE TO CHANGE
5 THE REGULATIONS BECAUSE THE STATUTE SUPERSEDES THE
6 REGULATIONS. THE CHANGE HAS BASICALLY ALREADY
7 BEEN MADE, AND WE ARE SIMPLY CONFORMING OUR
8 REGULATIONS TO RECOGNIZE THAT TO ELIMINATE
9 CONFUSION. SO...

10 CHAIRMAN CHESBRO: OKAY. WELL, I ALWAYS
11 HAVE A HIGHER COMFORT LEVEL WITH A MORE OPEN
12 PROCESS. THAT'S THE ONLY CONCERN. I RECOGNIZE
13 WHAT YOU ARE SAYING. ANY OTHER COMMENTS FROM --

14 MEMBER FRAZEE: I THINK THE LEGISLATIVE
15 PROCESS, WE LIKE TO THINK, IS AN OPEN PROCESS
16 ALSO, WHERE POLICY COMMITTEES AND FISCAL
17 COMMITTEES MEET AND IT'S HEARD SEVERAL TIMES. SO
18 I THINK IT'S FINAL.

19 AS I UNDERSTAND THIS, HAD THE
20 LEGISLATURE IN ENACTING SB 1550 SAID, IN EFFECT,
21 WASTE BOARD SHALL IMPLEMENT THIS AND LEAVE SOME
22 DISCRETION TO US, WE WOULDN'T. IT WOULD BE
23 NECESSARY TO ADOPT REGULATIONS AND GO THROUGH THE
24 PROCESS. BUT WHAT THEY DID WAS FINAL. WE CAN'T
25 MAKE ANY CHANGES TO IT.

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1 MR. BLOCK: THAT'S CORRECT.

2 MEMBER FRAZEE: SO THERE'S NO NEED TO DO
3 ANYTHING FURTHER ON IT.

4 CHAIRMAN CHESBRO: WHAT'S THE PLEASURE OF
5 THE COMMITTEE? STAFF RECOMMENDATION IS TO GO OUT
6 TO COMMENT ON THE REGS.

7 MEMBER FRAZEE: MOVE STAFF
8 RECOMMENDATION.

9 MEMBER GOTCH: I'LL SECOND.

10 CHAIRMAN CHESBRO: IT'S BEEN MOVED AND
11 SECONDED. WE'LL SUBSTITUTE THE PRIOR ROLL CALL.
12 MOTION CARRIES THREE ZERO, AND IT DOES NOT NEED TO
13 GO TO THE BOARD'S AGENDA, SIMPLY TO PUBLISH THE
14 NOTICE OF THE REGS.

15 OKAY. LET'S SEE. WE'RE BACK TO
16 ITEM 4, WHICH IS THE STAFF RECOMMENDATION ON THE
17 ADEQUACY OF THE SITING ELEMENT AND SUMMARY PLAN
18 FOR ALAMEDA COUNTY.

19 MS. FRIEDMAN: DIANE RANGE AND MICHELLE
20 LAWRENCE WILL BE MAKING THIS PRESENTATION FOR
21 STAFF.

22 MS. RANGE: GOOD MORNING, CHAIRMAN
23 CHESBRO AND COMMITTEE MEMBERS. AGENDA ITEM
NO. 4,

24 THE ALAMEDA COUNTY SITING ELEMENT AND SUMMARY

PLAN

25

CONSIDERATION FOR YOU TODAY. STAFF ARE

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1 RECOMMENDING THAT THE COMMITTEE CONDITIONALLY
2 APPROVE BOTH OF THESE DOCUMENTS. AND MICHELLE
3 LAWRENCE IS HERE FROM THE OFFICE OF LOCAL
4 ASSISTANCE TO EXPLAIN THE REASON FOR THE STAFF
5 RECOMMENDATION.

6 MS. LAWRENCE: GOOD MORNING, BOARD
7 MEMBERS AND CHAIRMAN CHESBRO. FOR THE RECORD, I
8 AM MICHELLE LAWRENCE WITH THE OFFICE OF LOCAL
9 ASSISTANCE, BAY AREA.

10 I'M BEFORE YOU TODAY WITH THE
11 ALAMEDA COUNTY INTEGRATED WASTE MANAGEMENT
12 AUTHORITY'S COUNTYWIDE ELEMENT, AND AS THEY REFER
13 TO IT AND CALLED IT. AND THEY INTENDED FOR THIS
14 DOCUMENT TO SUFFICE AS THE COUNTYWIDE SITING
15 ELEMENT AND SUMMARY PLAN.

16 AND WHILE ALL THE REGULATORY AND
17 STATUTORY REQUIREMENTS FOR THOSE TWO DOCUMENTS
18 ARE

19 CONTAINED WITHIN THIS COMBINED COUNTYWIDE
20 ELEMENT,

21 THERE WAS QUITE A BIT OF CONFUSION ABOUT DISPOSAL
22 CAPACITY DUE TO SOME EDITING ERRORS ON THE
23 AUTHORITY'S PART. APPARENTLY WHEN THEY BEGAN
24 DRAFTING THIS DOCUMENT, THERE WAS NOT SUFFICIENT
25 LANDFILL CAPACITY WITHIN THE COUNTY. AND SOME OF

24 THOSE STATEMENTS REMAINED IN THIS FINAL DOCUMENT
25 THAT THEY SUBMITTED FOR OUR REVIEW.

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1 AT THE TIME BETWEEN EIGHT AND 15
2 YEARS, THEY KNEW, BUT DUE TO SUBTITLE D RETROS AT
3 ALTAMONT, THEY GOT QUITE A BIT MORE CAPACITY
4 DURING THIS PROCESS, SO THERE WAS SOME CONFUSION.

5 THEY CLARIFIED THAT FOR US IN A
6 STATEMENT AND FAX'D THAT OUT TO ALL THE MEMBER
7 CITIES OF THE AUTHORITY, SIMILAR TO WHAT WE ASKED
8 SAN BERNARDINO COUNTY TO DO LAST MONTH. THAT
9 COUNTY WAS BEFORE YOU WITH A SIMILAR SITUATION.
10 THEY'VE DONE THAT. THEY'VE ALSO -- SO WE COULD
11 GET THEM FROM DISAPPROVAL ON THE SITING ELEMENT TO
12 CONDITIONAL APPROVAL TODAY, AND THEY HAVE AGREED
13 TO WORK WITH US TO CLARIFY SOME OTHER THINGS IN
14 THE DOCUMENT AND TO, IN FACT, MOVE A STATEMENT UP
15 FROM CHAPTER 2 TO THE TITLE PAGE THAT SAYS THEY
16 INTEND FOR THIS DOCUMENT TO BE THE COUNTYWIDE
17 SUMMARY PLAN AND SITING ELEMENT AND TO REDO THE
18 TABLE OF CONTENTS TO MORE CLEARLY DELINEATE WHERE
19 YOU CAN FIND CRUCIAL SITING CRITERIA AND DISPOSAL
20 CAPACITY WITHIN THE DOCUMENT. AND THEY WILL DO
21 THAT BEFORE THE FIRST ANNUAL REPORT.

22 WE ARE ALSO RECOMMENDING
CONDITIONAL

23 APPROVAL TODAY ON THE SUMMARY PLAN SIMPLY
BECAUSE

24 TWO CITIES' DOCUMENTS WITHIN THAT COUNTY ARE
NOT
25 FINALLY ACTED UPON BY THIS BOARD. THE CITY OF

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1 UNION CITY HAS DOCUMENTS, THEIR FINAL DOCUMENTS
2 IN-HOUSE; HOWEVER, I BELIEVE FROM MY CO-WORKER
3 JENNIFER KIGER, ONE OF THOSE DOCUMENTS WAS NOT,
IN
4 FACT, LOCALLY ADOPTED, AND THEY'LL HAVE TO GO
BACK
5 THROUGH THE PROCESS, AND SOME OF THE REQUIRED
6 DOCUMENTATION IS NOT HERE YET.

7 AND THE CITY OF FREMONT, THEIR
NDFE
8 WE HAVE NOT ACTED UPON. SO FOR THOSE REASONS,
WE
9 ARE RECOMMENDING CONDITIONAL APPROVAL OF THE
10 SUMMARY PLAN. THAT'S IT.

11 CHAIRMAN CHESBRO: IS THERE ANYONE
12 HERE -- I DON'T HAVE A FORM -- BUT IS THERE
ANYONE

13 HERE REPRESENTING ALAMEDA COUNTY OR THE WASTE
14 MANAGEMENT AUTHORITY? APPARENTLY NOT.

15 APPRECIATE STAFF, AS IN THE PAST,
16 WORKING CLOSELY WITH THE ENTITY TO ARRIVE AT A
17 PROCESS THAT'S MUTUALLY AGREEABLE. THAT SEEMS
TO
18 BE THE CASE HERE BASED UPON WHAT YOU'VE SAID.

ARE

19 THERE QUESTIONS?

20 MEMBER FRAZEE: YES, I DO. IS IT

GENERAL

21 PRACTICE THAT A CONDITIONAL APPROVAL COMPLIANCE

IS

22 UNTIL THE NEXT ANNUAL REPORT? THEY HAVE THAT

MUCH

23 TIME?

24 MS. LAWRENCE: THAT HAS BEEN OUR

PRACTICE

25 IN MOST CASES IS TO GIVE THEM UNTIL THEIR FIRST

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1 ANNUAL REPORT. IN THIS CASE THAT WOULD BE NEXT
2 AUGUST. THEY ACTUALLY ONLY HAVE TEN MONTHS. WE
3 BELIEVE THAT THE CHANGES IN THE SUMMARY PLAN AND
4 SITING ELEMENT WILL BE SIGNIFICANT BASED ON OUR
5 CONVERSATIONS WITH THE LOCAL AUTHORITY. AND
THAT
6 THE CITIES THAT I MENTIONED, THEIR LOCAL
7 DOCUMENTS, THERE'S SOME TIME -- SOME CEQA THAT
HAS
8 TO BE COMPLIED WITH THAT WE BELIEVE THEY'RE
GOING
9 TO NEED THAT MUCH TIME.

10 MEMBER FRAZEE: IS THEIR ALTAMONT
11 EXPANSION APPROVAL AT A POINT WHERE THAT CAN BE
12 CONSIDERED, OR DO YOU EXPECT THAT IT'S GOING TO
BE
13 BY TIME OF THE UPDATE?

14 MS. LAWRENCE: IT'S ONLY IN THE
15 DISCUSSION PHASE, AS YOU ARE AWARE. AND IT'S
16 TOUCHED ON BRIEFLY WITHIN THIS DOCUMENT AND IN A
17 VERY VAGUE WAY. WHAT THE AUTHORITY HAS CHOSEN
TO
18 DO INSTEAD IS TO TENTATIVELY RESERVE LAND THAT
19 THEY PURCHASED A FEW YEARS AGO. AND WHATEVER IS
20 GOING TO BE WORKED OUT, THEY HOPE TO HAVE

21 CLARIFIED BY THE TIME THEY GET THOSE DOCUMENTS
22 BACK TO US.

23 CHAIRMAN CHESBRO: OKAY. THE STAFF
24 RECOMMENDATION IS TO CONDITIONALLY APPROVE BOTH
25 THE SITING ELEMENT AND THE SUMMARY PLAN FOR
COUNTY

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1 OF ALAMEDA AND FORWARD IT TO THE BOARD'S CONSENT
2 CALENDAR. I'LL ENTERTAIN A MOTION --

3 MEMBER FRAZEE: SO MOVED.

4 MEMBER GOTCH: SECONDED.

5 CHAIRMAN CHESBRO: IT'S BEEN MOVED AND
6 SECONDED. WE'LL SUBSTITUTE THE PRIOR ROLL CALL.
7 MOTION CARRIES THREE TO ZERO. THANKS VERY MUCH.

8 NEXT IS ITEM 10, WHICH IS
9 CONSIDERATION OF STAFF RECOMMENDATION ON THE
10 ADEQUACY OF THE SUMMARY PLAN FOR SOLANO COUNTY.

11 MS. FRIEDMAN: DIANE RANGE WILL BE MAKING
12 THIS PRESENTATION FOR STAFF.

13 MS. RANGE: GOOD MORNING AGAIN. STAFF IS
14 RECOMMENDING THAT THE COMMITTEE CONDITIONALLY
15 APPROVE THE COUNTYWIDE SITING PLAN -- SUMMARY PLAN
16 FOR SOLANO COUNTY. AFTER REVIEW OF THE SUMMARY
17 PLAN, STAFF HAVE FOUND THAT THE SUMMARY PLAN FOR
18 THE COUNTY HAS MET ALL THE REGULATORY AND
19 STATUTORY REQUIREMENTS. HOWEVER, STAFF IS
20 RECOMMENDING A CONDITIONAL APPROVAL IN THE CASE
21 THAT WE HAVE NOT ALL OF THE JURISDICTION'S SOURCE
22 REDUCTION/RECYCLING ELEMENTS, HHWE'S, AND
23 NONDISPOSAL FACILITY ELEMENTS. AND SPECIFICALLY
24 WE HAVE NOT RECEIVED OR ACTED UPON -- THE BOARD
25 HAS NOT RECEIVED OR ACTED UPON THE -- ANY OF
THOSE

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1 DOCUMENTS FOR THE CITY OF RIO VISTA.

2 AND PREVIOUS COMMITTEE ACTIONS AND
3 BOARD ACTIONS HAVE CONSIDERED SIMILAR INSTANCES
4 WHERE WE HAVE ONLY RECOMMENDED CONDITIONAL
5 APPROVAL BASED ON THE FACT THAT WE HAVE NOT
6 RECEIVED AND ACTED UPON ALL OF THOSE DOCUMENTS.

7 SO THAT IS THE REASON WHY TODAY
8 WE'RE ASKING THAT THE COMMITTEE CONSIDER A
9 CONDITIONAL APPROVAL. AND STAFF IS CURRENTLY
10 WORKING WITH THE CITY OF RIO VISTA TO ENSURE THAT
11 THERE IS PROGRESS BEING MADE IN THIS EFFORT.

12 ANY QUESTIONS?

13 CHAIRMAN CHESBRO: ANY QUESTIONS? THE
14 SITING ELEMENT IS ALREADY ON THE BOARD'S CONSENT
15 AGENDA. WE'VE RECOMMENDED APPROVAL FOR THAT
16 EARLIER. SO THE MOTION WOULD BE TO ACCEPT STAFF
17 RECOMMENDATIONS AND CONDITIONALLY APPROVE THE
18 SUMMARY PLAN FOR THE COUNTY OF SOLANO AND PLACE
19 THAT RECOMMENDATION ON THE BOARD'S CONSENT
20 CALENDAR.

21 MEMBER GOTCH: SO MOVED.

22 MEMBER FRAZEE: SECOND.

23 CHAIRMAN CHESBRO: IT'S BEEN MOVED AND
24 SECONDED. WE WILL SUBSTITUTE THE PRIOR ROLL
CALL.

25 MOTION CARRIES THREE TO ZERO. THAT WILL BE ON

35

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1 CONSENT. THANK YOU.

2 THE NEXT ITEM IS ITEM 11, WHICH IS
3 CONSIDERATION OF ADOPTION OF THE NEGATIVE
4 DECLARATION AND THE PROPOSED REGULATIONS FOR
5 CONSOLIDATION OF THE ANNUAL REPORT REQUIREMENTS.

6 MS. FRIEDMAN: CATHERINE CARDOZO OF THE
7 WASTE CHARACTERIZATION AND ANALYSIS BRANCH WILL BE
8 MAKING THE PRESENTATION FOR STAFF. I'D LIKE TO
9 REMIND THE COMMITTEE THAT THIS IS ACTING UPON --
10 WE HAD ALREADY ADOPTED EMERGENCY REGULATIONS, SO
11 THIS IS FINAL REGULATIONS. AND WITH THAT I'LL
12 TURN IT OVER TO CATHERINE.

13 MS. CARDOZO: THANK YOU, JUDY. MORNING,
14 CHAIRMAN CHESBRO AND COMMITTEE MEMBERS. TODAY I'M
15 PRESENTING THE FINAL PACKAGE OF THE REVISED ANNUAL
16 REPORT REGULATIONS. THESE PROPOSED REGULATIONS
17 ARE NEARLY IDENTICAL TO THE EMERGENCY REGULATIONS
18 FOR ANNUAL REPORTS THE BOARD APPROVED LAST MAY.
19 IF ADOPTED BY THE BOARD THIS MONTH AND APPROVED BY
20 THE OFFICE OF ADMINISTRATIVE LAW, THESE WOULD
21 BECOME PERMANENT GUIDELINES TO JURISDICTIONS ON
22 WHAT TO INCLUDE IN THEIR ANNUAL REPORT TO SHOW THE
23 PROGRESS THEY'VE MADE TOWARD ACHIEVING THEIR
24 DISPOSAL REDUCTION GOALS AND PROGRESS TOWARD
25 IMPLEMENTING THEIR PLANNING DOCUMENTS.

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1 THE PROPOSED REGULATIONS PLACE ALL
2 REPORTING REQUIREMENTS INTO ONE ARTICLE AND
3 REQUIRE A CONSOLIDATED ANNUAL REPORT FROM EACH
4 JURISDICTION. THE REPORTS WILL BE DUE BY AUGUST 1
5 OF THE YEAR FOLLOWING BOARD APPROVAL OF A PLANNING
6 DOCUMENT AND EVERY YEAR THEREAFTER.

7 THE REGULATIONS ARE ORGANIZED SO
8 THAT A PERSON PREPARING AN ANNUAL REPORT MAY GO
9 STEP BY STEP THROUGH THE REQUIREMENTS INSTEAD OF
10 HAVING TO LOOK THROUGH FIVE DIFFERENT ARTICLES FOR
11 DIRECTIONS.

12 THE REGULATIONS ARE VERY SIMILAR TO
13 THE MODEL ANNUAL REPORT THAT WAS SENT TO ALL
14 JURISDICTIONS IN MARCH. THE MODEL WAS USED BY THE
15 MAJORITY OF THE 309 JURISDICTIONS THAT HAVE
16 SUBMITTED THEIR FIRST ANNUAL REPORTS TO DATE.

17 THE REGULATIONS WERE SENT TO ALL THE
18 JURISDICTIONS, LGTAC, LEAGUE OF CITIES, AND CSAC,
19 FOR A 45-DAY PUBLIC COMMENT PERIOD STARTING JULY
20 19TH AND ENDING SEPTEMBER 3D. TWO COMMENTS WERE
21 RECEIVED. ONE COMMENDED THE BOARD ON THE REGS AND
22 ANOTHER RECOMMENDED THE REGULATIONS BE STREAMLINED
23 EVEN FURTHER BY ALLOWING A JURISDICTION THAT SHOWS
24 THEY'RE MEETING THE GOALS AND NOT DISCUSS PROGRAM
25 IMPLEMENTATION. SUCH A REVISION WOULD REQUIRE

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1 STATUTORY CHANGE, SO NO CHANGE WAS MADE TO THE
2 REGULATIONS.

3 A PUBLIC HEARING WAS HELD SEPTEMBER
4 4TH. ONE COMMENT WAS RECEIVED. THE COMMENT WAS A
5 RECOMMENDATION TO ADD TO THE REGULATIONS AN
6 ALTERNATE ADJUSTMENT METHOD THAT WOULD HAVE ONLY
7 POPULATION AS A FACTOR AFFECTING WASTE GENERATION.
8 THE ADJUSTMENT METHOD APPROVED BY THE BOARD THAT
9 CONSIDERS BOTH POPULATION AND ECONOMIC FACTORS WAS
10 SHOWN DURING THE METHOD'S DEVELOPMENT TO MORE
11 ACCURATELY ESTIMATE CHANGE IN WASTE GENERATION
12 OVER TIME THAN JUST POPULATION ALONE. HOWEVER,
13 ACKNOWLEDGING THAT THE ADJUSTMENT METHOD MAY NOT
14 ALWAYS WORK FOR ALL JURISDICTIONS, FLEXIBILITY WAS
15 BUILT INTO THE REGULATIONS TO TAKE INTO ACCOUNT
16 ANY EXCEPTIONS.

17 SPECIFICALLY JURISDICTIONS MAY
18 PROVIDE DATA IN THEIR ANNUAL REPORT THAT EXPLAINS
19 WHY THE ADJUSTMENT METHOD DOES NOT WORK IN THEIR
20 CASE AND WHAT WOULD WORK INSTEAD. THE BOARD WOULD
21 CONSIDER THIS INFORMATION WHEN DETERMINING THE
22 JURISDICTION'S COMPLIANCE WITH THE GOALS.
23 THEREFORE, STAFF BELIEVE NO REVISION IS NEEDED AS
24 THE REGULATIONS ALREADY ALLOW A JURISDICTION TO
25 USE ALTERNATE FACTORS WHEN APPROVED BY THE
BOARD.

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1 THING WORK TODAY?

2 CHAIRMAN CHESBRO: IT SHOULD. I'M NOT
3 FAMILIAR WITH THE TECHNOLOGY. IS THERE ANYBODY
4 HERE THAT COULD ASSIST?

5 I TURNED ONE OF THESE BIG SCREENS
6 AROUND SO WE WOULDN'T HAVE TO LOOK AT THESE LITTLE
7 ITTY-BITTY SCREENS UP HERE ANYMORE. I HOPE IT
8 WORKS. THIS IS A TEST HERE. MEANS LESS
9 VISIBILITY FROM OUT THERE. I'LL BE INTERESTED TO
10 KNOW. CAN YOU SEE THE SCREEN ACROSS THERE OKAY
11 FROM THERE? WELL, THAT'S GOOD. I LIKE LOOKING AT
12 THAT A LOT BETTER.

13 MR. WORRELL: GOOD MORNING. MY NAME IS
14 BILL WORRELL. I'M THE MANAGER OF THE SAN LUIS
15 OBISPO COUNTY INTEGRATED WASTE MANAGEMENT
16 AUTHORITY. ACTUALLY BEFORE I BEGIN THIS
17 TESTIMONY, I WOULD LIKE TO THANK THE BOARD FOR
18 COSPONSORING WITH US OUR UTILIZATION OF GREEN
19 WASTE COMPOSTING SEMINAR LAST MONTH.

20 PAUL RELIS, ACTUALLY ON HIS WAY BACK
21 FROM SALINAS, STOPPED FOR THE LAST HALF HOUR AND
22 WAS VERY WELL RECEIVED. AND I APPRECIATE YOUR
23 EFFORT IN DOING THAT.

24 WHY I'M UP HERE TODAY IS BASICALLY
25 THE SAME REASON WE WERE AT THE WORKSHOP IN

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1 BERKELEY IN JULY 1995 AND AT THE PUBLIC HEARING
2 LAST MONTH. WE BELIEVE THAT THE REGULATIONS NEED
3 TO BE CHANGED TO ALLOW ADDED FLEXIBILITY FOR LOCAL
4 GOVERNMENT.

5 AND WHAT WE'RE SPECIFICALLY TALKING
6 ABOUT IS THE SECTION 18794.1, AND THAT'S THE GOAL
7 ACHIEVEMENT CALCULATION. AND THOSE REGULATIONS
8 ARE BEFORE YOU TODAY; AND AS PREVIOUSLY STATED, WE
9 WOULD LIKE TO SEE THEM MODIFIED.

10 THESE REGULATIONS CAME ABOUT BECAUSE
11 OF THE PLANNING PROCESS REQUIREMENTS INITIATED
12 WITH CHAPTER 6 IN STATE STATUTE. AND IT BASICALLY
13 REQUIRES THAT THE BOARD COME UP WITH AN ADJUSTMENT
14 METHOD BASED ON EITHER ANNUAL INCREASES OR
15 DECREASES IN POPULATION AND OTHER FACTORS
16 AFFECTING THE WASTE STREAM.

17 AND YOU HAD TO GO THROUGH THE
18 PROCESS OF DETERMINING WHAT THOSE EXACTLY WOULD BE
19 AND YOU DID THAT THROUGH YOUR CONTRACT WITH
20 EUGENE.

21 NOW, THE FACTOR THAT YOU GUYS CAME
22 UP WITH IS A FAIRLY CONVOLUTED FACTOR, AS FAR AS
23 WE CAN TELL, ONLY USED IN THE STATE OF CALIFORNIA.
24 AND IT ATTEMPTS TO TAKE INTO ACCOUNT SALES TAX,
25 CPI, EMPLOYMENT IN THE COMMERCIAL WASTESTREAM. AS

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1 YOU RECALL, HOW THIS FACTOR WORKS IS YOU TAKE THE
2 1990 APPROVED BASE YEAR WASTE GENERATION, MULTIPLY
3 IT BY THIS FACTOR, THEN YOU SAY, OKAY, IT'S NOW
4 1995. NOTHING HAS CHANGED. THE WASTE FROM 1990
5 WILL NOW BE GENERATED AT THIS LEVEL IN 1995. SO
6 THAT BASICALLY IS YOUR BASE YEAR NUMBER ADJUSTED
7 TO BE 1995.

8 NOW, YOU DO THE SAME THING ON THE
9 COMMERCIAL SIDE, WHICH TAKES HALF -- ON THE
10 RESIDENTIAL SIDE, IT TAKES HALF THE WASTE
11 ADJUSTMENT FACTOR FROM THE COMMERCIAL SIDE AND
12 USES IT ON THE RESIDENTIAL SIDE.

13 SO THAT'S THE STATE'S ADOPTED
14 METHOD. AND AS I STATED, YOU'RE LOOKING AT THE
15 FOUR FACTORS THAT BECOME IMPORTANT IN THE
16 ADJUSTMENT METHOD: THE CONSUMER PRICE INDEX,
17 SALES TAX REVENUE, EMPLOYMENT, AND POPULATION.
18 AND OUR CONCERN, AS EXPRESSED A YEAR AGO, IS THAT
19 SOME OF THESE FACTORS MAY OR MAY NOT AFFECT WASTE
20 GENERATION.

21 THE COST OF HEATING OIL FOR HOMES
22 REALLY DOESN'T SEEM TO HAVE TOO MUCH OF AN IMPACT
23 ON THE AMOUNT OF WASTE THAT PEOPLE ARE GENERATING.
24 THE SAME ARGUMENT CAN BE MADE FOR SALES TAX
25 REVENUE. AS CARS BECOME MORE EXPENSIVE, I'M NOT

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1 SURE THAT LEADS TO GREATER WASTE.

2 SO WE WERE CONCERNED THAT THOSE
3 FACTORS WERE GOING TO SKEW THE RESULTS. EVEN MORE
4 IMPORTANT, I THINK, IS THE SENSITIVITY ANALYSIS
5 THAT WE WENT THROUGH. IF YOU LOOK AT EITHER THE
6 CONSUMER PRICE INDEX, SALES TAX REVENUE, OR
7 EMPLOYMENT, ALL OF THOSE THREE FACTORS BY
8 THEMSELVES EACH HAVE A 50-PERCENT GREATER IMPACT
9 ON THE ADJUSTMENT OF THE 1990 DATA TO 1995 DATA
10 THAN POPULATION.

11 WHAT THAT MEANS IS IF BETWEEN 1990
12 AND 1995 YOUR POPULATION INCREASES BY 10 PERCENT
13 AND EVERYTHING ELSE STAYS THE SAME, YOU WOULD BE
14 ASSUMING YOU ONLY GENERATE ANOTHER TWO AND A HALF
15 PERCENT OF GARBAGE IN 1995. THAT'S A DRAMATIC
16 DIFFERENCE BECAUSE MOST PEOPLE THOUGHT, YOU KNOW,
17 GARBAGE GENERATED BY PEOPLE. AND IT'S ADJUSTMENT
18 FACTORS LIKE THAT, AS WE GO FARTHER DOWN THE
19 PROCESS, AND AS WE GO ESPECIALLY THROUGH THE YEAR
20 2000, IT MAY BECOME IMPOSSIBLE FOR JURISDICTIONS
21 TO MEET 50-PERCENT MANDATES, NOT BECAUSE OF NOT
22 IMPLEMENTING THEIR PROGRAMS, BUT BECAUSE THE
23 ADJUSTMENT METHOD IS PENALIZING THEM EACH YEAR FOR
24 THINGS LIKE INCREASED POPULATION, ONLY GETTING
25 ONE-FOURTH OF THAT CREDIT IN YOUR 1990 BASE YEAR.

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1 AND AGAIN, AS I STATED, THE CONSUMER
2 PRICE INDEX, SALES REVENUE, AND EMPLOYMENT, ALL OF
3 THOSE FACTORS CHANGE HAVE A 50-PERCENT GREATER
4 IMPACT THAN POPULATION, WHICH INTUITIVELY I THINK
5 EVERYBODY WOULD ASSUME THAT WAS THE MOST
6 IMPORTANT.

7 SO WHAT WE'RE PROPOSING IS AN
8 ADJUSTMENT FACTOR BASED STRICTLY ON POPULATION.
9 AND THIS WOULD BE AN ALTERNATIVE TO YOUR EXISTING
10 FACTOR. WE'RE NOT SAYING THROW OUT THE EXISTING
11 FACTOR. IT'S NO GOOD. WHAT WE'RE SAYING IS LET'S
12 ADD A SECOND FACTOR, AND THAT WOULD BE CHANGE IN
13 POPULATION.

14 WHY DO WE PROPOSE THIS ONE? IT'S A
15 VERY SIMPLE FORMULA. IT'S JUST THAT TWO FORMULAS
16 GET RID OF ALL THOSE, AND IT'S THE 1990 POPULATION
17 DIVIDED BY THE REPORTING YEAR POPULATION OR THE
18 1995 POPULATION.

19 SECOND, THERE'S A HISTORICAL BASIS
20 FOR THAT. THE PER CAPITA METHOD HAS BEEN USED FOR
21 MANY, MANY YEARS. IN FACT, AT THE OCTOBER 2D
22 HEARING AT THE ASSEMBLY NATURAL RESOURCES
23 COMMITTEE, THEIR OWN DIRECTOR REPORTED 1990
24 CALIFORNIA WASTE GENERATION DATA ON A PER CAPITA
25 BASIS AND WASTE DISPOSAL DATA FOR 1995 ON A PER

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1 CAPITA BASIS. I WAS DYING TO ASK HIM IF HE HAD
2 ADJUSTED THOSE FOR CPI AND SALES TAX AND
3 POPULATION OR EMPLOYMENT.

4 BUT THAT'S TYPICALLY HOW PEOPLE HAVE
5 REPORTED HISTORICALLY GENERATION, ON A PER CAPITA,
6 6 POUNDS, 7 POUNDS PER CAPITA PER DAY. IF YOU GO
7 THROUGH THE CPCFA FINANCING, YOU WILL SEE THE BOND
8 FINANCING IS DONE ON A PER CAPITA BASIS. AND IF
9 YOU GO BACK AND LOOK AT EPA DATA, YOU WILL SEE
10 THAT THE FRANKLIN STUDY DONE SEVERAL YEARS AGO
11 TALKS ABOUT PER CAPITA GENERATION DATA.

12 AND FINALLY, OUR PROPOSED ADJUSTMENT
13 METHOD WOULD ALLOW FLEXIBILITY FOR LOCAL
14 GOVERNMENT. OBVIOUSLY, IN SOME CASES WHAT WE'RE
15 PROPOSING PROBABLY DOESN'T WORK. IF YOU LIVE IN A
16 CITY LIKE LOS ANGELES, WHERE YOU HAVE A LOT OF
17 EXTERNAL FACTORS IMPACTING YOUR WASTE GENERATION,
18 MAYBE POPULATION DOESN'T WORK. BUT FOR MANY OF
19 THE SMALLER COMMUNITIES THROUGHOUT THE STATE, I
20 THINK, AND VERY DEFINED WASTESHEDS, POPULATION IS
21 PROBABLY AS GOOD A MEASUREMENT AS ANYTHING ELSE.

22 AGAIN, ALL WE'RE ASKING FOR IS THE
23 FLEXIBILITY TO CHOOSE WHICH WOULD BE THE RIGHT
24 METHOD FOR OUR LOCAL JURISDICTIONS.

25 UNTIL AUGUST 1ST, THIS WAS A VERY

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1 INTERESTING ACADEMIC DISCUSSION THAT WE'VE HAD.
2 AND THEN WE FINALLY DID OUR ANNUAL REPORT. AND
3 YOU COULD SEE IT MAKES A HUGE IMPACT. FOR THE
4 CITY OF ARROYO GRANDE UNDER THE EXISTING METHOD,
5 THEY HAVE A 21-PERCENT DIVERSION RATE. UNDER A
6 POPULATION BASE METHOD, WHERE YOU ONLY ADJUST
7 BASED ON POPULATION, THE DIVERSION RATE GOES UP TO
8 28 PERCENT.

9 IF YOU GO DOWN THE LIST, PISMO
10 BEACH, VERY LITTLE DIFFERENCE. IT'S 36 PERCENT
11 CIWMB METHOD; 37 PERCENT PROPOSED METHOD. FOR THE
12 COUNTY, AGAIN, A VERY DRAMATIC INCREASE. AND
13 OVERALL FOR THOSE SIX CITIES AND THE COUNTY WHICH
14 COMPRISES THE INTEGRATED WASTE MANAGEMENT
15 AUTHORITY, WE GO FROM A 26-PERCENT DIVERSION TO A
16 33-PERCENT DIVERSION RATE.

17 SO AGAIN, IT DOES HAVE A SIGNIFICANT
18 IMPACT. AS WE GET CLOSER AND CLOSER TO TRYING TO
19 MEET 50 PERCENT, WE THINK IT WOULD CERTAINLY HELP
20 THE LOCAL JURISDICTIONS. AND AGAIN, WE'RE NOT
21 TRYING TO TELL YOU THAT THE EXISTING METHOD IS
22 BAD. WE JUST DON'T THINK THAT IT GIVES US ENOUGH
23 FLEXIBILITY. SO WHAT WE WOULD PROPOSE IS THAT THE
24 FOLLOWING SENTENCE BE ADDED IN 18794.1(B), AND
25 THAT BASICALLY SAYS, YOU READ IT, "ALTERNATIVE

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1 JURISDICTIONS COULD USE THE POPULATION BASE METHOD
2 TO ADJUST THEIR 1990 BASE YEAR TO THE APPLICABLE
3 REPORTING YEAR." AGAIN, I THINK IT WOULD JUST
4 ALLOW US FLEXIBILITY, AND IT WOULD HELP US ALL
5 MEET OUR 50-PERCENT GOAL.

6 CHAIRMAN CHESBRO: I HAVE SEVERAL THINGS
7 I'D LIKE TO PURSUE IN RESPONSE TO THIS. FIRST OF
8 ALL, I DON'T THINK THAT MEASURING -- DESCRIBING
9 WASTE AS PER CAPITA GENERATION NECESSARILY MEANS
10 THAT YOU'VE DISCOUNTED THE OTHER FACTORS THAT
11 MIGHT HAVE CONTRIBUTED TO THE AMOUNT OF WASTE
12 GENERATED.

13 YOU COULD SAY IN THE CITY OF
14 INDUSTRY IN LOS ANGELES COUNTY, YOU COULD
DESCRIBE
15 THE PER CAPITA WASTE GENERATED, AND THAT DOESN'T
16 MEAN THAT YOU ARE NOT CONSIDERING HOW MUCH
17 INDUSTRIAL CONTRIBUTION THERE IS TO THE WASTE
18 STREAM.

19 YOU RAISE, I THINK, GOOD POINTS.
20 THOSE POINTS WERE INTENDED TO HAVE BEEN TAKEN
CARE
21 OF BY ESSENTIALLY INTENDING FOR OUR FORMULA TO BE
22 A DEFAULT APPROACH WHICH ALSO ALLOWS FOR OTHER
23 APPROACHES TO BE USED.

24 I GUESS MY QUESTION OF STAFF, AND I
25 KNOW MS. CARDOZO DESCRIBED THIS IN HER

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1 PRESENTATION, BUT MAYBE WE COULD GO INTO A LITTLE
2 MORE SPECIFICS ABOUT WHAT THE CRITERIA IS FOR A
3 JURISDICTION TO USE A DIFFERENT FORMULA. I KNOW
4 IT'S ALLOWED FOR; BUT, FOR EXAMPLE, UNDER THE
5 REGULATIONS AS THEY ARE, SAN LUIS OBISPO COUNTY
6 WANTED TO DO WHAT THEY'RE SUGGESTING HERE, WHAT
7 WOULD THEY HAVE TO DEMONSTRATE OR WHAT'S STEPS
8 WOULD THEY HAVE TO GO THROUGH TO UTILIZE SOME
9 OTHER FORMULA BESIDES THE ONE THAT WE HAVE
10 ADOPTED?

11 MS. CARDOZO: WELL, THE PROCESS WE HAVE
12 SET UP NOW IS THAT IN THEIR ANNUAL REPORT, THEY
13 WOULD DISCUSS WHY THE ADJUSTMENT METHOD DOESN'T
14 WORK FOR THEM AND WHAT THEY'RE PROPOSING AND WHY,
15 WITH BACKUP INFORMATION, AND STAFF WOULD WORK WITH
16 THEM. AND THEY WOULD HAVE TO TAKE THAT TO THE
17 BOARD, ASKING FOR THEIR APPROVAL WITH
18 RECOMMENDATIONS ONE WAY OR THE OTHER WHETHER OR
19 NOT THAT WAS TRULY REPRESENTATIVE.

20 CHAIRMAN CHESBRO: TO MOMENTARILY, NOT TO
21 CLAIM IT'S PERFECT, BUT MOMENTARILY DEFEND THE
22 FORMULA, LET ME SAY THAT WE HAD A WORKING GROUP OF
23 A WIDE VARIETY OF INTERESTS WHO EXAMINED IT,
24 COMMENTED ON IT, LOOKED AT IT UPSIDE, DOWNSIDE.
25 PERHAPS STAFF COULD DESCRIBE HOW MANY TIMES THEY

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1 MET AND HOW MANY MEMBERS WERE AND THAT SORT OF
2 THING, BUT I DO KNOW THAT THERE WAS QUITE A BIT OF
3 SCRUTINY.

4 AND ALSO I BELIEVE, AND CORRECT ME
5 IF I'M WRONG, THAT IT WAS TESTED, THAT THERE WAS
6 SOME ATTEMPTS TO TRY TO FIGURE OUT HOW ACCURATE IT
7 WAS RELATIVE TO THE ACTUAL WASTE STREAM. SO IN
8 ADOPTING IT AS THE PRIMARY TOOL, IT WAS NOT
9 INTENDED TO BE ARBITRARY. IT WAS INTENDED TO BE
10 REFLECTIVE AS BEST WE COULD DETERMINE OF MOST
11 JURISDICTIONS IN THE STATE, BUT AT THE SAME TIME I
12 THINK THAT THERE WAS AN UNDERSTANDING THAT IT WAS
13 IMPERFECT AND SO WOULD ALLOW THIS OTHER PATHWAY.
14 BUT MAYBE -- COULD YOU JUST BRIEFLY DESCRIBE THE
15 PROCESS THAT -- BY WHICH IT WAS --

16 MS. FRIEDMAN: IF I COULD START OFF, AND
17 THEN TURN IT OVER TO KATHARINE, I JUST WANTED TO
18 COMMENT ON THAT. WE HAD A WORKING GROUP PROCESS,
19 AND THE PROCESS FOR DEVELOPING THESE REGULATIONS
20 WAS A TWO-YEAR PROCESS FIRST WITH OUR WORKING
21 GROUP AND THEN ULTIMATELY WITH THE REGULATIONS ON
22 THE ADJUSTMENT METHOD. AND IT WAS EXTENSIVELY
23 TESTED. I'M SURE, KATHERINE, YOU COULD ADD TO
24 THIS; BUT IF YOU RECALL, IN THE TESTING PHASE
25 THERE WAS A 98-PERCENT CORRELATIVE FACTOR WITH
OUR

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1 METHOD THAT WAS SHOWN. AND...

2 CHAIRMAN CHESBRO: COULD YOU PUT THAT
3 IN -- I JUST TOOK STATISTICS SO...

4 MS. FRIEDMAN: THE METHOD IS 98 PERCENT
5 ACCURATE, I GUESS, IS THE BEST, EASIEST WAY TO
6 LOOK AT THAT. SO THERE WAS EXTENSIVE TESTING,
7 BUT, YES, BECAUSE OF THE NEED TO HAVE FLEXIBILITY,
8 THE METHOD ITSELF THAT WAS ADOPTED BY THE BOARD
9 AND THE REGULATIONS ALLOW FOR ALTERNATIVE METHODS
10 TO BE PRESENTED AND JUSTIFIED, SO THERE IS
11 FLEXIBILITY ALREADY BUILT INTO THE PROCESS. I
12 DON'T KNOW IF YOU WANT TO ADD TO THAT, KATHERINE.

13 MS. CARDOZO: JUST THAT DURING THE FIELD
14 TESTING, IT WAS SHOWN THAT POPULATION ALONE WAS
15 NOT STRONG ENOUGH, AS A CORRELATIVE FACTOR, THAT
16 YOU NEEDED TO HAVE ECONOMICS ADDED IN THERE. AND,
17 OF COURSE, THERE WILL BE SOME JURISDICTIONS THAT
18 FALL OUTSIDE OF THAT, AND THAT IS WHY THE
19 FLEXIBILITY WAS BUILT IN THERE FOR THOSE
20 EXCEPTIONS.

21 CHAIRMAN CHESBRO: SO PRESUMABLY A
22 COMMUNITY THAT IS PREDOMINANTLY OR OVERWHELMINGLY
23 RESIDENTIAL WITHOUT A LOT OF COMMERCIAL OR
24 INDUSTRIAL ACTIVITY WOULD BE MORE APT TO BE MORE
25 CLOSELY RELATED TO POPULATION.

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1 MS. CARDOZO: OR POTENTIALLY THE
2 OPPOSITE. IF THERE'S VERY FEW -- A SMALL NUMBER
3 OF RESIDENTS AND LARGE INDUSTRIAL, IT MAY NOT WORK
4 FOR THE OUTLYING JURISDICTIONS.

5 CHAIRMAN CHESBRO: SO WHY IS IT, MR.
6 WORRELL, THAT YOU FEEL THAT THE GENERAL
7 ALTERNATIVE PATH OF DEMONSTRATING THAT THE FORMULA
8 DOESN'T WORK WELL FOR YOUR JURISDICTIONS OR IS NOT
9 ACCURATE, WHY IS THAT NOT SUFFICIENT? WHY WOULD
10 YOU PROPOSE THAT WE DO --

11 MR. WORRELL: SURE. AND WE HAVE PROPOSED
12 IN OUR ANNUAL REPORT THAT WE SUBMITTED AUGUST 1ST
13 THAT WE BE ALLOWED TO USE THE POPULATION ONLY
14 BASIS METHOD. WE THINK, ONE, WE HOPE THAT THAT'S
15 AGREED TO BY THE STAFF AND THE BOARD. YOU NEVER
16 KNOW. AND IF THEY ASK FOR A TWO-YEAR STUDY OF
17 CORRELATION BETWEEN POPULATION AND GENERATION,
18 WE'RE GOING TO BE HARD-PRESSED TO COME UP WITH
19 THAT OBVIOUSLY.

20 THE SECOND IS, AGAIN, WHEN YOU LOOK
21 AT THE ADJUSTMENT METHOD, WE TALK ABOUT
22 RESIDENTIAL WASTE AND COMMERCIAL WASTE, FOR
23 EXAMPLE. WELL, THE ONLY WAY LOCAL JURISDICTIONS
24 DEFINE RESIDENTIAL AND COMMERCIAL WASTE IS
25 BASICALLY BY THE TYPE OF TRUCK THAT COLLECTS THAT

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1 GARBAGE. IF IT'S A REAR LOADER, IT'S RESIDENTIAL;
2 IF IT'S A FRONT LOADER, IT'S COMMERCIAL.

3 WELL, THAT WORKS FINE EXCEPT FOR
4 WHEN YOU TAKE IN THE FACT THAT ALL APARTMENTS
5 USUALLY HAVE DUMPSTERS OR ARE COLLECTED BY
6 COMMERCIAL TRUCKS. SO ALL OF A SUDDEN, YOUR
7 ADJUSTMENT FACTORS, WHICH HAS ONE FOR COMMERCIAL,
8 ONE FOR RESIDENTIAL, IS SKEWED FROM THAT POINT OF
9 VIEW.

10 I THINK WHEN YOU TALK ABOUT
11 98-PERCENT CORRELATION, I CAN REMEMBER DOING MY
12 FIRST WASTE CHARACTERIZATION STUDY IN 1975 IN A
13 LANDFILL IN SAN JUAN, PUERTO RICO, AND I CAN TELL
14 YOU WHAT I THINK OF GARBAGE DAY. IT'S NOT THAT
15 PRECISE; IT'S NOT THAT ACCURATE. I KNOW WE'VE GOT
16 ONE PROBLEM WITH WASTE GOING TO DIFFERENT
17 LANDFILLS DURING THE REPORTING ONE-WEEK PERIOD.

18 SO IT'S ALL RIGHT TO TRY AND HIDE
19 BEHIND THE STATISTICS, BUT I THINK THERE'S MORE TO
20 IT THAN THAT, AND YOU NEED TO LOOK AT THE REAL
21 WORLD. AND THE REAL WORLD IS YOU'RE NOT GOING TO
22 GET 98-PERCENT CORRELATION ON ANYTHING. THERE'S
23 WASTE BEING MISREPORTED BY JURISDICTIONS. THERE'S
24 WASTE BEING MISADJUSTED BY COMMERCIAL VERSUS
25 RESIDENTIAL. IT'S NOT A PERFECT WORLD OUT THERE.

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1 WE CAN STUDY IT FOR ANOTHER TEN
2 YEARS, AND I STILL DON'T THINK WE'RE GOING TO COME
3 UP WITH PERFECT GENERATION.

4 NOW, THERE IS A SECTION, IT'S
5 SECTION E IN THE REGULATIONS, THAT ALLOW USE OF
6 INFORMATION THAT WOULD ALLOW STAFF TO LET YOU USE
7 A DIFFERENT ADJUSTMENT FACTOR. THE ONLY CONCERN
8 WE HAVE IS IF YOU GO FURTHER IN THE REGULATIONS,
9 THERE'S SECTION I THAT STATES THAT IF YOU FAIL TO
10 MEET THE CALCULATIONS, FAIL TO MEET THE DIVERSION
11 BY THE STATE OR THE CIWMB'S METHOD, THEN YOU HAVE
12 TO GO THROUGH ANALYSIS OF WHY YOU FAIL TO MEET
13 THAT. SO YOU'VE ALREADY BEEN PRESUMED TO HAVE
14 FAILED TO ACHIEVE YOUR DIVERSION RATES, AND THAT
15 OBVIOUSLY GIVES US SOME CONCERN TOO.

16 SO ALL WE'RE SAYING IS PUT THIS
17 METHOD FOR HISTORICAL REASON, SIMPLICITY IN THE
18 REG, LET THE JURISDICTIONS OUT THERE CALCULATE BY
19 BOTH METHODS, AND SEE WHICH ONE WORKS BEST. I'M
20 ALSO AFRAID THAT THE MANY JURISDICTIONS THAT
21 HAVEN'T THOUGHT ABOUT USING SOMETHING OTHER THAN
22 THE STATE'S METHOD, AND THAT'S WHY PEOPLE MAY BE
23 CONCERNED ABOUT MEETING 50 PERCENT. AND MAYBE
24 THIS METHOD IS THE BETTER WAY OF SHOWING THAT
25 DIVERSION, AND MAYBE WE HAVE LESS OPPOSITION TO

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1 KEEPING THAT 50-PERCENT STANDARD OUT THERE IF
2 THERE ARE TWO WAYS YOU COULD USE BOARD APPROVED
3 WAYS WITHOUT HAVING TO GO THROUGH THE APPROVAL
4 PROCESS OF ACHIEVING THAT. AND IN FACT, THAT WAS
5 OUR COMMENT ON OCTOBER 2D TO THE ASSEMBLY WAS THAT
6 50 PERCENT WAS A REASONABLE GOAL, BUT GIVE US A
7 LITTLE BIT MORE FLEXIBILITY OF HOW WE GO ABOUT
8 CALCULATING THAT.

9 CHAIRMAN CHESBRO: LET ME ASK STAFF,
10 GOING BACK TO MY PREVIOUS QUESTION ABOUT HOW A
11 JURISDICTION WOULD GO ABOUT IT. WOULD THEY BE
12 REQUIRED TO TEST THEIR METHOD AGAINST THE WASTE
13 STREAM, OR COULD THEY JUST SIMPLY INTRODUCE
14 FACTORS AND EVIDENCE THAT SUCH FACTORS EXIST IN
15 THEIR COMMUNITY THAT WOULD CREATE A DIFFERENT SET
16 OF CIRCUMSTANCES THAN MIGHT EXIST ELSEWHERE?

17 MS. CARDOZO: I THINK THAT'S GOING TO
18 REQUIRE A POLICY PROBLEM, WHAT EXACTLY A
19 JURISDICTION NEEDS TO SUBMIT.

20 CHAIRMAN CHESBRO: SO THAT'S NOT
21 SPECIFIED IN THE REGULATIONS?

22 MS. CARDOZO: BUT I WOULD LIKE TO
ADDRESS

23 MR. WORRELL'S OTHER COMMENT. AS I DISCUSSED WITH
24 HIM ON THE PHONE OVER A WEEK AGO, THAT SECTION E
25 AND I ARE NOT MUTUALLY EXCLUSIVE, THAT SUBSECTION

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1 I OF THE SECTION HE'S REFERRING TO JUST ALLOWS A
2 JURISDICTION IF -- TO FURTHER -- IF IT'S NOT THE
3 ADJUSTMENT METHOD, AND MOST OF THE JURISDICTIONS
4 WE FIND THAT THEIR PROBLEMS WITH MEETING THE GOAL
5 IS NOT THE ADJUSTMENT METHOD, THAT IT'S A BASE
6 YEAR OR REPORTING YEAR. IT'S ANOTHER PROBLEM THAN
7 THAT. AND SO THAT'S WHY THAT OTHER SECTION ALLOWS
8 FOR THEM TO ADDRESS POSSIBLY OTHER REASONS, NOT
9 JUST THE ADJUSTMENT METHOD.

10 MR. SCHIAVO: JUST A COUPLE COMMENTS, AND
11 I'M REITERATING A FEW THINGS THAT WERE SAID. I'M
12 PAT SCHIAVO OF THE WASTE CHARACTERIZATION AND
13 ANALYSIS BRANCH. THIS PROCESS WENT THROUGH,
14 AGAIN, EXTENSIVE TESTING WITH A LOT OF
15 JURISDICTIONS, WHICH PROVED TO BE, YOU KNOW, OVER
16 95 PERCENT CONFIDENCE WITH THE FOUR FACTORS. IF
17 YOU TAKE OUT THE THREE ECONOMIC FACTORS, THE
18 GROWTH FACTORS, AND JUST USE POPULATION, IT
19 DISTORTS THE DATA SIGNIFICANTLY.

20 SO IF WE WENT TO A DEFAULT METHOD
21 WHERE WE ONLY BASED IT ON A SIMPLIFIED APPROACH OF
22 ONLY POPULATION AND PEOPLE HAD TO JUSTIFY WHY
23 POPULATION DIDN'T ACHIEVE THEIR ENDS OF USING THE
24 ADJUSTMENT METHODOLOGY, WE'RE GOING TO HAVE THE
25 MAJORITY OF JURISDICTIONS COMING IN TO US TRYING

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1 TO RATIONALIZE WHY POPULATION ITSELF DOESN'T WORK.

2 IN THIS PARTICULAR SITUATION,

3 POPULATION IS THE OUTLIAR FOR THIS PARTICULAR

4 COMMUNITY, AND IT MAY BE APPROPRIATE FOR THIS

5 PARTICULAR CIRCUMSTANCE. BUT FOR THE STATEWIDE

6 GOOD FOR MOST OF THE COMMUNITIES, WE NEED TO GO

7 WITH THE EXISTING APPROACH. AND THAT'S PRIMARILY

8 WHAT I'M TRYING TO GET AT IS, AGAIN, THIS MAY BE

9 APPROPRIATE FOR SAN LUIS OBISPO, BUT IT'S NOT

10 GOING TO BE FOR THE MAJORITY OF THE STATE.

11 AGAIN, IT UNDERWENT EXTENSIVE

12 SCRUTINY FOR A TWO-YEAR PERIOD, AND WE ONLY HAVE

13 ONE COMMENT TO THE CONTRARY AT THIS POINT IN TIME.

14 CHAIRMAN CHESBRO: WELL, I'M -- I HAVE A

15 COUPLE OF DIFFERENT CONFLICTING IMPULSES HERE. ON

16 THE ONE HAND, I'M INCLINED TO NOT PROVIDE FOR A

17 SPECIFIC ALTERNATIVE METHOD BECAUSE I THINK THAT

18 WE'VE HAD A VERY EXTENSIVE TESTING PROCESS FOR

19 ONE. AS A SECOND DEFAULT FOR THE WHOLE STATE, IT

20 HASN'T HAD THE SAME LEVEL OF SCRUTINY THAT THE

21 FIRST ONE HAD OR THE SAME LEVEL OF INPUT. MANY OF

22 THE PEOPLE WHO WERE ON THE WORKING GROUP PROBABLY

23 AREN'T HERE BECAUSE THEY FEEL WE HAVE THEIR INPUT

24 AND WE'VE ACTED ON THEIR INPUT. SO THEY'RE NOT

25 RESPONDING TO IT BECAUSE THEY'RE SATISFIED OR FEEL

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1 THAT WE'VE DONE THE RIGHT THING.

2 THEN THIS WAS RUN, AT MY REQUEST, BY
3 THE LEAGUE OF CITIES AND CSAC AND RCRC AND JUST
4 ABOUT EVERYBODY ELSE IMAGINABLE. ON THE OTHER
5 HAND, I WANT TO MAKE SURE THAT WE DON'T REQUIRE A
6 LEVEL OF SCRUTINY THAT REQUIRES A LONG TIME AND
7 LOT OF MONEY FOR A JURISDICTION TO BE ABLE TO
8 DEMONSTRATE THE FACTORS THAT THEY BELIEVE MAKE THE
9 CASE FOR THEM TO UTILIZE A DIFFERENT METHOD.

10 SOMEHOW OR OTHER SOMEWHERE BETWEEN,
11 YOU KNOW, A BIG STUDY -- A STUDY COMPARABLE TO
12 WHAT WE DID TO ARRIVE AT THIS FORMULA AND JUST
13 SIMPLY, YOU KNOW, FEW SENTENCE LETTER, SOMETHING
14 WHICH REQUIRES SOME LEVEL OF EVIDENCE AND CASE
15 MAKING, BUT ALSO ISN'T EXPENSIVE AND DIFFICULT FOR
16 JURISDICTIONS TO COMPLY WITH, I THINK WE'RE GOING
17 TO HAVE TO COME UP WITH. AND I THINK THAT'S THE
18 CONCLUSION I COME TO FROM THE INPUT IS THAT WE
19 HAVE TO BE CONCERNED THAT IT NOT BE ONEROUS,
20 ESPECIALLY FOR -- I MEAN SAN LUIS ISN'T THE
21 SMALLEST JURISDICTION. IT COULD BE VERY
22 DIFFICULT

22 FOR A JURISDICTION TO MAKE THE CASE, AND WE
23 HAVE

23 TO BE SENSITIVE TO THAT. THOSE ARE MY

THOUGHTS.

24 MR. BLOCK: IF I MAY AT THIS POINT
25 BECAUSE, CHAIRMAN CHESBRO, YOUR COMMENTS
ACTUALLY

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1 BROUGHT SOMETHING ELSE TO MIND WHICH I WISH I
HAD

2 THOUGHT OF A LITTLE BIT SOONER, WHICH IS THE
3 ADJUSTMENT METHOD REGULATIONS AND THESE
4 REGULATIONS ARE REGULATIONS THE SUBSTANCE OF
WHICH

5 HASN'T CHANGED. IN OTHER WORDS, THEY WERE
JUST

6 SIMPLY RENUMBERED AND MOVED. THE SCOPE OF
THE

7 RULEMAKING PACKAGE THAT WE'RE DEALING WITH
DID NOT

8 INCLUDE CHANGES TO THE ADJUSTMENT METHOD
ITSELF AS

9 PART OF THE RULEMAKING.

10 SO I'M ACTUALLY FAIRLY SURE
THAT WE

11 WOULD HAVE TO GO OUT TO A 45-DAY COMMENT
PERIOD

12 AND IN A SENSE START THE RULEMAKING AGAIN IF
YOU

13 WANTED TO ACTUALLY CHANGE SOME OF THE
LANGUAGE IN

14 THE ADJUSTMENT METHOD. THAT WOULDN'T AFFECT
THE

15 OTHER COMMENTS YOU HAD ABOUT WHAT LEVEL OF
16 INFORMATION WE WANT. AND LET ME GO AHEAD AND
17 COMMENT ON THAT.

18 ONE OF THE REASONS THAT THE
19 REGULATIONS ARE PHRASED THE WAY THEY ARE NOW
IS

20 BECAUSE I THINK WE WANTED TO GIVE SOME
21 JURISDICTIONS A FAIR AMOUNT OF FLEXIBILITY.
NOT

22 KNOWING UP FRONT WHAT KIND OF INFORMATION
WOULD OR

23 WOULDN'T BE RELEVANT, WE GAVE SOME GENERAL
24 CATEGORIES OF THE TYPES OF INFORMATION, BUT
REALLY
25 AT THAT STAGE WEREN'T IN A PLACE WHERE WE
COULD

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1 SAY THIS IS WHAT YOU NEED TO DO OR THIS IS
ALL YOU

2 NEED TO DO BECAUSE WE WANTED TO REALLY IN A
SENSE

3 LEAVE THAT UP TO A CASE-BY-CASE
DETERMINATION.

4 IN ANYTHING THAT ANY
GOVERNMENTAL

5 ENTITY DOES, IN A SENSE, WE'VE GOT AN OVERALL
6 STANDARD OF REASONABLENESS. SO THAT'S
BASICALLY

7 BUILT INTO THE REGULATIONS THAT ARE THERE.
AND SO

8 ALL I CAN SAY IS TO THE EXTENT THAT -- AND WE
9 DON'T KNOW AT THIS POINT WHAT WOULD HAPPEN IN
SAN

10 LUIS OBISPO'S ANNUAL REPORT -- TO THE EXTENT
THAT

11 THERE WAS A DISPUTE AS TO WHETHER THE
INFORMATION

12 WAS SUFFICIENT OR NOT, ULTIMATELY THAT COULD
END,

13 IF THAT WASN'T RESOLVABLE, FIND ITS WAY TO
THIS

14 COMMITTEE AND ULTIMATELY THE BOARD, AT WHICH

POINT

15 THAT CALL COULD BE MADE BASED ON VERY
SPECIFIC

16 FACTS AS OPPOSED TO THE MORE KIND OF
SPECULATIVE

17 NATURE THAT WE'RE AT NOW, WHICH IS IS IT
ENOUGH OR

18 ISN'T IT ENOUGH. I THINK THAT'S PARTICULARLY
WHY

19 THOSE REGULATIONS WERE PHRASED THAT WAY
BECAUSE WE

20 DIDN'T WANT TO OVERDEFINE WHAT TYPES OF

21 INFORMATION WOULD BE APPROPRIATE OR NOT.

22 MS. FRIEDMAN: IN ADDITION, I WOULD
LIKE

23 TO ADD THAT I THINK THAT AS FAR AS THE
BOARD'S AND

24 STAFF'S TRACK RECORD GO ON FLEXIBILITY AND

25 REASONABLENESS, WE HAVE, YOU KNOW, 99 PERCENT

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1 APPROVAL RATE ON OUR PLANS. AND WE HAVE BEEN
2 EXTREMELY FLEXIBLE WITH EVERY JURISDICTION ON
3 WORKING WITH THEM. AND I THINK THAT EVERY TIME
4 WE'VE COME TO THIS COMMITTEE AND TO THE BOARD, AS
5 FAR AS STAFF GOES, AND AS FAR AS THE BOARD ITSELF
6 GOES, WE'VE DEMONSTRATED THAT.

7 CHAIRMAN CHESBRO: YEAH, BUT WE SUFFER
8 FROM BEING PART OF STATE GOVERNMENT AND WHEN YOU
9 SAY, "I'M FROM THE STATE AND I'M HERE TO HELP
10 YOU," IT CAUSES SHUDDERS DOWN LOCAL GOVERNMENT'S
11 BACKS, AND I UNDERSTAND THAT EVEN THOUGH I THINK
12 THAT WE HAVE, YOU ARE ABSOLUTELY RIGHT. OUR
13 STAFF, WITH THE ENCOURAGEMENT AND SUPPORT OF THE
14 COMMITTEE AND BOARD, REALLY TRIED TO MAKE THIS AS
15 FLEXIBLE A PROCESS AS POSSIBLE.

16 I THINK THAT WE COULD, IF THE
17 COMMITTEE MEMBERS AGREE WITH MY POINT OF VIEW ON
18 THIS, GIVE GENERAL POLICY DIRECTION TO STAFF AS A
19 COMMITTEE, NOT AS PART OF THE REGULATIONS, TO
20 FOCUS ON THE PROCESS, TRYING TO MAKE IT AS
21 ACCURATE, BUT SIMPLE AS POSSIBLE IN TERMS OF
22 DETERMINING WHETHER AN ALTERNATE METHOD IS GOING
23 TO ACCURATELY REFLECT THE LOCAL JURISDICTION'S
24 WASTE STREAM WITHOUT A LOT OF EXPENSE OR EXTRA
25 WORK ON THE PART OF THE LOCAL JURISDICTION.

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1 BUT I WAS ABOUT TO OPEN IT UP TO MY
2 COLLEAGUES.

3 MEMBER FRAZEE: I WAS JUST GOING TO SAY,
4 MR. CHAIRMAN, I THINK I AGREE WITH YOU ON EVERY
5 STATEMENT YOU MADE. FLEXIBILITY IS ALREADY BUILT
6 IN. I THINK MR. WORRELL MAKES AN EXCELLENT CASE,
7 BUT MODIFYING THE REGULATIONS TO OPEN UP EASILY
8 REACHABLE ALTERNATIVES, THEN YOU MIGHT HAVE
9 SOMEONE ARGUE, WELL, WHY CAN'T MY FORMULA BE CPI
10 AND POPULATION OR WHY CAN'T MY FORMULA BE SALES
11 TAX AND EMPLOYMENT, AND YOU GET INTO A WHOLE RANGE
12 OF THINGS. I THINK THERE IS AN OPPORTUNITY UNDER
13 CURRENT REGULATIONS THE WAY THEY ARE NOW FOR THIS
14 BOARD TO MAKE AN ADJUSTMENT FOR GOOD CASES MADE.

15 AND I AGREE WITH WHAT YOU SAID. WE
16 DON'T WANT TO MAKE THAT SO DIFFICULT THAT SOMEONE
17 IS SENT BACK OUT TO DO A TWO-YEAR STUDY TO JUSTIFY
18 IT. IF WE CAN BE FLEXIBLE ENOUGH TO ACCOMMODATE
19 THAT WHEN A GOOD CASE IS MADE, I'M CONFIDENT THAT
20 STAFF CAN DO THAT.

21 MEMBER GOTCH: I AGREE WITH BOTH OF YOU
22 AND THE STAFF'S ANSWERS TO MR. WORRELL'S CONCERN.

23 CHAIRMAN CHESBRO: I THINK YOU ARE
24 SENSITIZING US, THOUGH, TO THE PROCESS THAT YOU
25 WILL BE FACING, AND SO I THINK I CAN, BASED ON

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1 WHAT I JUST HEARD, GIVE A GENERAL SENSE OF THE
2 COMMITTEE TO STAFF TO TRY TO DEVELOP A PROCESS
3 THAT'S NOT OVERBEARING AND ONEROUS ON THE
4 JURISDICTIONS WHO WANT TO PURSUE AN ALTERNATIVE
5 METHOD.

6 THAT BEING THE CASE, THOUGH, I WILL
7 ENTERTAIN A MOTION, THEN, TO APPROVE STAFF'S
8 RECOMMENDATIONS, WHICH I HAVE HERE SOMEWHERE. IT
9 IS TO APPROVE THE NEGATIVE DECLARATION AND ANNUAL
10 REPORT REGULATIONS AND FORWARD THEM TO THE BOARD.
11 I GUESS IT WOULDN'T BE CONSENT BECAUSE IT'S A
12 REGULATION PACKAGE.

13 MR. BLOCK: TYPICALLY WE HAVEN'T DONE
14 THAT.

15 CHAIRMAN CHESBRO: SO IT WILL BE PLACED
16 IN THE REGULAR BOARD AGENDA, WHICH I GUESS IF YOU
17 WANT TO COME TO SACRAMENTO AGAIN, WE'D GIVE YOU
18 ANOTHER OPPORTUNITY.

 MR. WORRELL: MAYBE I'LL HAVE THE MACHINE
FIXED BY THEN.

 CHAIRMAN CHESBRO: YUBA CITY. EXCUSE ME.
YUBA CITY IS WHERE WE'RE MEETING

 MEMBER FRAZEE: YES, I'LL MOVE.

 MEMBER GOTCH: AND I'LL SECOND.

 CHAIRMAN CHESBRO: WE WILL SUBSTITUTE THE

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PRIOR ROLL CALL. MOTION PASSES THREE TO ZERO.

THANKS FOR YOUR INPUT. APPRECIATE IT.

AND LET'S SEE. I THINK THAT TAKES
CARE OF THE BUSINESS AGENDA, DOES IT NOT?

SO ANY OPEN DISCUSSION? HEARING
NONE, WE WILL ADJOURN THE COMMITTEE MEETING.
THANK YOU.

(END OF PROCEEDINGS AT 10:47 A.M.)

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